

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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IN RE: NATIONAL PRESCRIPTION MDL No. 2804  
OPIATE LITIGATION

Case No. 17-md-2804

Judge Dan Aaron

This document relates to: Polster

County of Cuyahoga v. Purdue  
Pharma L.P., et al.

Case No. 17-OP-45004

City of Cleveland, Ohio v. Purdue  
Pharma L.P., et al.

Case No. 18-OP-45132

The County of Summit, Ohio, et al.  
v. Purdue Pharma L.P., et al.

Case No. 18-OP-45090

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Volume 2

Continued videotaped deposition of
CALVIN D. WILLIAMS

March 29, 2019

11:14 a.m.

Taken at:

Ulmer & Berne

1660 W. 2nd Street, Suite 1100
Cleveland, Ohio

Renee L. Pellegrino, RPR, CLR

<p style="text-align: right;">Page 340</p> <p>1 APPEARANCES: 2 On behalf of the City of Cleveland: Baron & Budd, P.C. 3 MARK PIFKO, ESQ. 15910 Ventura Boulevard 4 Suite 1600 Encino, California 91436 5 (818) 839-2333 mpifko@baronbudd.com 6 - and - Zashin & Rich 7 AMI J. PATEL, ESQ. 950 Main Avenue, Fourth Floor 8 Cleveland, Ohio 44113 (216) 696-4441 9 ajp@zrlaw.com 10 City of Cleveland: ELENA BOOP, ESQ. 11 601 Lakeside Avenue, Room 106 Cleveland, Ohio 44114 12 (216) 664-3727 eboop@city.cleveland.oh.us 13 On behalf of Walmart, Inc.: 14 Jones Day PATRICIA OCHMAN, ESQ. 15 North Point, 901 Lakeside Avenue Cleveland, Ohio 44114-1190 16 (216) 586-3939 pochman@jonesday.com 17 On behalf of Endo Pharmaceuticals, Inc., Endo 18 Health Solutions, Inc., Par Pharmaceuticals, Inc. and Par Pharmaceutical Companies, Inc.: 19 Arnold & Porter JOHN A. FREEDMAN, ESQ. 20 601 Massachusetts Avenue, N.W. Washington, D.C. 20001-3743 21 (202) 942-5316 john.freedman@arnoldporter.com 22 ~ ~ ~ ~ ~ 23 24 25</p>	<p style="text-align: right;">Page 342</p> <p>1 TRANSCRIPT INDEX 2 3 APPEARANCES340 4 INDEX OF EXHIBITS343 5 INDEX OF OBJECTIONS345 6 7 EXAMINATION OF CALVIN WILLIAMS: 8 BY MS. WINNER347 9 BY MR. ZIPP396 10 BY MR. PIFKO429 11 BY MS. WINNER435 12 13 REPORTER'S CERTIFICATE440 14 15 EXHIBIT CUSTODY - RETAINED BY COURT REPORTER 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 341</p> <p>1 APPEARANCES, CONT'D: 2 On behalf of McKesson Corporation: Covington & Burling LLP 3 SONYA D. WINNER, ESQ. One Front Street 4 San Francisco, California 94111-5356 (415) 591-6000 5 swinner@cov.com - and - 6 Covington & Burling LLP John W. Zipp, ESQ. 7 One CityCenter 850 Tenth Street, NW 8 Washington, D.C. 20001-4956 (202) 662-6000 9 zipp@cov.com 10 On behalf of AmerisourceBergen Drug Corporation: Reed Smith 11 (Via Telephone and Veritext Virtual Stream) LUKE PORTER, ESQ. 12 101 2nd Street, Suite 800 San Francisco, California 94105 13 (415) 659-5652 luke.porter@reedsmith.com 14 On behalf of CVS Indiana, LLC and CVS Rx 15 Services, Inc.: Zuckerman Spaeder 16 ANTHONY M. RUIZ, ESQ. 1800 M Street NW, Suite 1000 17 Washington, D.C. 20036-5807 (202) 778-1823 18 aruiz@zuckermanspaeder.com 19 On behalf of Johnson & Johnson and Janssen: Tucker Ellis LLP 20 JEFFREY M. WHITESELL, ESQ. 950 Main Avenue, Suite 1000 21 Cleveland, Ohio 44113-7213 (216) 696-4889 22 jeffrey.whitesell@tuckerellis.com 23 ALSO PRESENT: Kurt Henschel, Videographer 24 25 ~ ~ ~ ~ ~</p>	<p style="text-align: right;">Page 343</p> <p>1 INDEX OF EXHIBITS 2 3 Number Description Marked 4 5 Exhibit 28 E-Mail from Daniel Williams to 350 Several Recipients, dated 6 October 22, 2018, with Attachments, Beginning Bates 7 Number CLEVE_003981505 - Marked Highly Confidential 8 9 Exhibit 29 E-Mail from Dornat Drummond to 377 Calvin Williams, dated June 14, 2016, with Attachments, 10 Beginning Bates Number CLEVE_004057069 - Marked Highly 11 Confidential 12 Exhibit 30 Multi-Page Document Entitled 387 "CDP Heroin/Fentanyl Strategy, 13 Draft 9-29-16," Beginning Bates Number CLEVE_002715524 - Marked 14 Confidential 15 Exhibit 31 E-Mail From Dornat Drummond to 388 Calvin Williams, dated November 16 16, 2016, with Attachment 17 Exhibit 32 E-Mail from Dornat Drummond to 392 Calvin Williams, dated November 18 16, 2016, Beginning Bates Number CLEVE_002715127 19 20 Exhibit 33 Weekly Summary Statistics Report 397 Beginning Bates Number CLEVE_002369389 21 22 Exhibit 34 Bureau of Special Services 403 Monthly Stat Sheet Beginning Bates Number CLEVE_003394701 23 24 Exhibit 35 E-Mail from Michael McGrath to 407 David Carroll, dated January 6, 2019, with Attachment, Beginning 25 Bates Number CLEVE_002605707</p>

<p style="text-align: right;">Page 344</p> <p>1 INDEX OF EXHIBITS, CONT'D</p> <p>2</p> <p>3 Exhibit 36 E-Mail from Katherine Cruz to 415</p> <p>4 Various Recipients, dated June</p> <p>5 29, 2010, with Attachment,</p> <p>6 Beginning Bates Number</p> <p>7 CLEVE_003285751 - Marked Highly</p> <p>8 Confidential</p> <p>9</p> <p>10 Exhibit 37 E-Mail String Beginning Bates 420</p> <p>11 Number July 16, 2015 - Marked</p> <p>12 Highly Confidential</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 346</p> <p>1 THE VIDEOGRAPHER: We're on the</p> <p>2 record at 11:14. Today's date is March 29th,</p> <p>3 2019. This is the matter of National</p> <p>4 Prescription Opiate Litigation. This deposition</p> <p>5 is taking place in Cleveland, Ohio.</p> <p>6 Would counsel please identify</p> <p>7 themselves for the record?</p> <p>8 MR. PIFKO: Mark Pifko from Baron &</p> <p>9 Budd, on behalf of the witness, the City of</p> <p>10 Cleveland and the Plaintiffs Executive</p> <p>11 Committee.</p> <p>12 MS. PATEL: Ami Patel, Zashin &</p> <p>13 Rich, on behalf of Plaintiff, City of Cleveland.</p> <p>14 MS. BOOP: Elena Boop, City of</p> <p>15 Cleveland Law Department.</p> <p>16 MR. FREEDMAN: John Freedman, Arnold</p> <p>17 & Porter, for the Endo Defendants.</p> <p>18 MR. WHITESELL: Jeff Whitesell from</p> <p>19 Tucker Ellis on behalf of Johnson & Johnson and</p> <p>20 Janssen.</p> <p>21 MS. OCHMAN: Patricia Ochman, Jones</p> <p>22 Day, for Walmart.</p> <p>23 MR. RUIZ: Anthony Ruiz from</p> <p>24 Zuckerman Spaeder on behalf of CVS Rx Services,</p> <p>25 Inc. and CVS Indiana, LLC.</p>
<p style="text-align: right;">Page 345</p> <p>1 INDEX OF OBJECTIONS</p> <p>2</p> <p>3 Objection362</p> <p>4 Objection362</p> <p>5 Objection363</p> <p>6 Objection363</p> <p>7 Objection364</p> <p>8 Objection364</p> <p>9 Objection365</p> <p>10 Objection366</p> <p>11 Objection366</p> <p>12 Objection366</p> <p>13 Objection367</p> <p>14 Objection368</p> <p>15 Objection369</p> <p>16 Objection371</p> <p>17 Objection373</p> <p>18 Objection376</p> <p>19 Objection378</p> <p>20 Objection384</p> <p>21 Objection385</p> <p>22 Objection386</p> <p>23 Objection393</p> <p>24 Objection395</p> <p>25 Objection399</p> <p>Objection400</p> <p>Objection402</p> <p>Objection404</p> <p>Objection405</p> <p>Objection408</p> <p>Objection410</p> <p>Objection413</p> <p>Objection414</p> <p>Objection416</p> <p>Objection417</p> <p>Objection422</p> <p>Objection426</p> <p>Objection427</p> <p>Objection428</p> <p>Objection434</p> <p>Objection435</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 347</p> <p>1 MR. ZIPP: John Zipp, Covington &</p> <p>2 Burling, on behalf of McKesson.</p> <p>3 MS. WINNER: Sonya Winner from</p> <p>4 Covington & Burling on behalf of McKesson.</p> <p>5 And on the phone? Do we have</p> <p>6 anybody on the phone?</p> <p>7 MR. PORTER: Luke Porter, Reed</p> <p>8 Smith, on behalf of AmerisourceBergen.</p> <p>9 MS. WINNER: Anyone else on the</p> <p>10 phone?</p> <p>11 CALVIN D. WILLIAMS, of lawful age, called</p> <p>12 for examination, as provided by the Federal</p> <p>13 Rules of Civil Procedure, being by me first duly</p> <p>14 sworn, as hereinafter certified, deposed and</p> <p>15 said as follows:</p> <p>16 EXAMINATION OF CALVIN D. WILLIAMS</p> <p>17 BY MS. WINNER:</p> <p>18 Q. Good morning.</p> <p>19 A. Good morning.</p> <p>20 Q. We are resuming your prior</p> <p>21 deposition and we are going to do our utmost not</p> <p>22 to repeat anything we talked about before, and</p> <p>23 if I fail in that regard, I'm sure Mr. Pifko</p> <p>24 will remind me.</p> <p>25 Do you have any medical impairment</p>

<p style="text-align: right;">Page 348</p> <p>1 or other reason why you might be unable to give 2 complete and truthful testimony today? 3 A. No. 4 Q. I'm not going to go back through all 5 the drill about -- you know, the introductory 6 drill about a deposition. The only thing I 7 would remind you of is that if I ask a question 8 that you think is unclear, you're not sure what 9 I'm asking, please speak up about that and I 10 will try to rephrase it. Okay? 11 A. I will. 12 Q. Can you just confirm what your 13 current position is today? 14 A. I am currently the chief of the 15 Division of Police for the City of Cleveland. 16 Q. And so your -- your title and your 17 position and your job responsibilities are the 18 same as they were when you last appeared for a 19 deposition, correct? 20 A. That's correct. 21 Q. What, if anything, have you done to 22 prepare for your deposition session here today? 23 A. Just talked to the attorneys for the 24 city. 25 Q. And when did you do that?</p>	<p style="text-align: right;">Page 350</p> <p>1 purposes of identification.) 2 - - - - - 3 Q. Sir, do you recognize this? 4 MR. PIFKO: I just want to assert 5 for the record I'm flagging if the Justice of 6 Department has any objections. We'll have them 7 review this. But you can ask questions. 8 A. The attached e-mail, yes. 9 Q. And this e-mail has two attachments; 10 one is the memorandum of understanding about the 11 Cleveland OCEDEF Strike Force, correct? 12 A. Yes. 13 Q. And you signed this agreement on 14 behalf of the city, did you not? 15 A. Yes, I did. 16 Q. And then if you turn to -- into the 17 exhibit to the page that has at the bottom -- 18 just on the bottom right -- well, actually, no, 19 it's not. This was produced in native format, 20 so we don't have a production number, but if you 21 turn to the page after the one with production 22 number ending in 528, at the bottom there's a 23 set of PowerPoint slides. Yes, we're in the 24 same place. And this is -- do you recognize 25 this PowerPoint collection?</p>
<p style="text-align: right;">Page 349</p> <p>1 A. This morning. 2 Q. Did you review any documents as part 3 of your preparation? 4 A. Yes. 5 Q. Did any of those documents help you 6 to remember things? 7 A. No. Just to review. 8 Q. Have you reviewed the transcript of 9 your prior deposition session? 10 A. Yes. It's been a while. 11 MS. WINNER: I'd like to ask the 12 reporter to mark as Exhibit 28 a multi-page 13 document. It's an e-mail with attachments. The 14 e-mail is from Daniel Williams to several 15 people, including Calvin Williams, dated October 16 22nd, 2018. The production number -- the first 17 page is CLEVE_003981505. 18 - - - - - 19 (Thereupon, Williams Deposition 20 Exhibit 28, E-Mail from Daniel 21 Williams to Several Recipients, 22 dated October 22, 2018, with 23 Attachments, Beginning Bates Number 24 CLEVE_003981505 - Marked Highly 25 Confidential, was marked for</p>	<p style="text-align: right;">Page 351</p> <p>1 A. I don't know if this is the exact 2 PowerPoint, but there was a presentation done by 3 the U.S. Attorney's Office on the OCEDEF Strike 4 Force, yes. 5 Q. To whom was that presentation 6 presented? 7 A. Honestly, I can't remember. 8 Q. Were you present during the 9 presentation? 10 A. Yes. And we've had quite a few 11 presentations on this particular topic, so I 12 can't remember the exact details of this 13 presentation and who was present and when it was 14 done. 15 Q. Well, the cover e-mail on the first 16 page of this exhibit refers to an announcement 17 at the U.S. Attorney's Office that was scheduled 18 for later that week, if you look at the second 19 paragraph of the e-mail. 20 A. Yes. 21 Q. Do you recall there being an 22 announcement made around that time? 23 A. There was an announcement. I don't 24 know exactly what day it happened on. I know 25 the date changed a couple times. And, actually,</p>

<p style="text-align: right;">Page 352</p> <p>1 the location of the presentation changed.</p> <p>2 Q. And when the announcement was made,</p> <p>3 was this a public meeting that the press was</p> <p>4 invited to?</p> <p>5 A. Yes.</p> <p>6 Q. And were you present at that</p> <p>7 meeting?</p> <p>8 A. Honestly, I can't remember. Again,</p> <p>9 this process went on for a few months and there</p> <p>10 were quite a few meetings in connection with it</p> <p>11 and there were also some dates and times for</p> <p>12 announcements and signing of the MOU that were</p> <p>13 changed, so I can't tell you specifically if I</p> <p>14 was at this exact presentation.</p> <p>15 Q. Do you know if the mayor attended</p> <p>16 the public announcement?</p> <p>17 A. I couldn't tell you. You would have</p> <p>18 to check his calendar.</p> <p>19 Q. Well, if you would turn to the</p> <p>20 PowerPoint exhibit, to this e-mail. I'd like to</p> <p>21 ask you some questions about that.</p> <p>22 Were you given an opportunity to</p> <p>23 review drafts of this PowerPoint in advance?</p> <p>24 A. Again, I'm not sure. We went</p> <p>25 through this process probably for about six</p>	<p style="text-align: right;">Page 354</p> <p>1 A. Yes.</p> <p>2 Q. And when it says, "122 Federal</p> <p>3 Partners," what does the number 122 refer to as</p> <p>4 you understand it?</p> <p>5 A. As I understand it, it refers to</p> <p>6 individual federal agents assigned --</p> <p>7 potentially assigned to the strike force.</p> <p>8 Q. So that would include, for example,</p> <p>9 56 FBI personnel?</p> <p>10 A. Correct.</p> <p>11 Q. And what does HSI stand for?</p> <p>12 A. Homeland Security.</p> <p>13 Q. And USMS, what is that?</p> <p>14 A. United States Marshal Service.</p> <p>15 Q. And USBP, is that border patrol?</p> <p>16 A. Yes.</p> <p>17 Q. And USPIS, who is that?</p> <p>18 A. I -- I think that's the U.S. postal</p> <p>19 inspectors.</p> <p>20 Q. Okay. And then if you turn to the</p> <p>21 next page --</p> <p>22 A. Yes.</p> <p>23 Q. -- it says -- there's then a list of</p> <p>24 the local partners, and one of them is CPD?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 353</p> <p>1 months, and there were a lot of meetings, there</p> <p>2 was a lot of discussion on how this would be</p> <p>3 rolled out, so I can't tell you specifically for</p> <p>4 this PowerPoint whether or not I reviewed it.</p> <p>5 Q. Who was on point for the division</p> <p>6 for purposes of negotiating this arrangement?</p> <p>7 A. I don't think it was so much a</p> <p>8 negotiation but a process of partners looking at</p> <p>9 how we fit into it, and that was Commander Gary</p> <p>10 Gingell.</p> <p>11 Q. And what was your involvement?</p> <p>12 A. As one of the partners, as one of</p> <p>13 the partners for the lead agencies, FBI, DEA,</p> <p>14 ATF, Customs and Border, Homeland Security. The</p> <p>15 lead agency -- the agency heads for those</p> <p>16 particular agencies themselves came together to</p> <p>17 talk about different parts of what this thing</p> <p>18 would look like.</p> <p>19 Q. If you would turn to page 4 of the</p> <p>20 PowerPoint. The page numbers are in the lower</p> <p>21 right-hand corner of each slide.</p> <p>22 A. Okay.</p> <p>23 Q. And there's a listing there of</p> <p>24 participants, federal participants in the strike</p> <p>25 force, correct?</p>	<p style="text-align: right;">Page 355</p> <p>1 Q. And by -- and that's your division,</p> <p>2 correct?</p> <p>3 A. That's correct.</p> <p>4 Q. And the number 68 appears there.</p> <p>5 Who is that -- who -- who is within that 68?</p> <p>6 A. Not all inclusive, but that includes</p> <p>7 some members of our narcotics unit, includes</p> <p>8 members of our gang impact squad, our special</p> <p>9 weapons and tactics unit, as well as some of our</p> <p>10 task force officers assigned to various federal</p> <p>11 task force operations.</p> <p>12 Q. So this would include people in</p> <p>13 addition to those who are currently assigned to</p> <p>14 narcotics?</p> <p>15 A. Yes.</p> <p>16 Q. What -- will those individuals, say</p> <p>17 the people who are assigned from narcotics --</p> <p>18 will their duties change when they become part</p> <p>19 of the strike force?</p> <p>20 A. Yes and no. I mean, their primary</p> <p>21 duties are narcotics enforcement, but the strike</p> <p>22 force model kind of looks at collaboration</p> <p>23 throughout all the agencies represented in the</p> <p>24 strike force.</p> <p>25 Q. Well, when -- does the strike force</p>

<p style="text-align: right;">Page 356</p> <p>1 permit you to leverage the resources of these 2 federal participants and other participants in 3 doing the law enforcement work that your 4 officers currently engage in? 5 A. It's a collaboration of all those 6 agencies and the work that has to be done 7 throughout all the agencies listed. 8 Q. Will they be required to do work 9 that is in addition to work that they currently 10 do? 11 A. Yes. 12 Q. And can you give me an example of 13 something they will be required to do that they 14 didn't have to do -- don't have to do today? 15 A. Can you clarify exactly, because 16 there are several units within the division that 17 will be involved in that strike force? 18 Q. Sure. Let me start with narcotics. 19 A. Okay. 20 Q. The people from -- will everybody 21 from narcotics be moved into the strike force or 22 will only some of them? 23 A. We're still working through that. 24 Q. Okay. Well, for the people who will 25 be moved over, whoever that turns out to be,</p>	<p style="text-align: right;">Page 358</p> <p>1 included in that? 2 A. The Northern District of Ohio. It's 3 not specific to just Cleveland proper. 4 Q. Will they be working cases in Akron? 5 A. If there's a nexus that leads to the 6 strike force with either someone from DEA or 7 FBI, yes. 8 Q. Is Akron contributing anybody to 9 this strike force? 10 A. No, not that I'm aware of. 11 Q. Why not? 12 A. Unless they're one of the partners 13 and have task force officers assigned to one of 14 those, no. And I'm not sure if Akron is in the 15 Northern District. I'm not sure. 16 Q. Okay. It is for the courts. I just 17 don't know whether it is for this purpose or 18 not. 19 A. Um-hum. 20 Q. Are there any other large cities 21 that you know are covered by this strike force's 22 region? 23 A. Well, basically it is most of or if 24 not all of Cuyahoga County for the most part. 25 Q. So you anticipate that the</p>
<p style="text-align: right;">Page 357</p> <p>1 will they be required to undertake duties that 2 are in addition to what they do today? 3 A. Yes. 4 Q. And can you give us some examples of 5 that? 6 A. Mainly the duties of Division of 7 Police officers assigned to the strike force 8 will be to assist in the investigations, in the 9 operations, whether it be intelligence 10 gathering, whether it be -- some of what the 11 OCADETF component does is, you know, wires, so to 12 speak, Title II or Title III wires -- I'm sorry, 13 I'm not sure of the exact number -- and some 14 officers will be required to what we call sit 15 those wires sometimes. Some officers will be 16 required to do things in an undercover capacity 17 or just assisting these other agencies in 18 executing search warrants and compiling 19 information and presenting to either the U.S. 20 Attorney or the county prosecutor's office. 21 Q. Will they still be involved in -- 22 will all this work still involve law enforcement 23 work to address crime in Cleveland? 24 A. Crime in Northeast Ohio, yes. 25 Q. By Northeast Ohio, you know, what is</p>	<p style="text-align: right;">Page 359</p> <p>1 operations of the strike force will be 2 predominantly focused on Cuyahoga County? 3 A. Correct. 4 Q. Under CPD there's OSP. What does 5 that stand for? 6 A. Ohio State Patrol. 7 Q. So they will be contributing eight 8 people to the strike force? 9 A. That's the number that's on there 10 now, yes. 11 Q. By the way, has this strike force 12 actually gotten up and running yet? 13 A. No. 14 Q. When do you anticipate that will 15 happen? 16 A. I don't know. Hopefully by 2020. 17 Q. And one of the aspects of it is a 18 co-location in a new building; is that correct? 19 A. That's correct. 20 Q. Has work begun in constructing that 21 new building? 22 A. Again, I don't know. I know they're 23 working on the parameters with, you know, the 24 partners that are tasked with that, so -- 25 Q. Do you anticipate that there are --</p>

<p style="text-align: right;">Page 360</p> <p>1 any aspects of the strike force activities will 2 start before that building is finished and 3 opened? 4 A. That's a tough question to answer. 5 It depends on -- a lot of it depends on our 6 federal partners and how they actually want to 7 commence this. 8 Q. And are you still, you collectively 9 for the division, engaged in discussions with 10 them about how it's going to get up and running? 11 A. Yes. 12 Q. Then under OSP it says, "HIDTA 18." 13 Again, we're on page 5 of this exhibit. 14 A. Yes. 15 Q. And who are those 18 people going to 16 be from? Where are those 18 people going to be 17 from? 18 A. That's our HIDTA office for Cuyahoga 19 County and it's all the folks that are assigned 20 to HIDTA. 21 Q. Does that include the Cleveland 22 Police division people who are assigned to 23 HIDTA? 24 A. Yes. 25 Q. So that would be in addition to the</p>	<p style="text-align: right;">Page 362</p> <p>1 Q. And do you understand that to be the 2 principal mission of this strike force? 3 MR. PIFKO: Objection to form. 4 A. The principal mission? 5 Q. Yes. 6 A. I think it's a little more complex 7 than that. From the City of Cleveland's 8 perspective, of course it's always violent crime 9 and the things that kind of feed on the crime, 10 drugs, money and guns. From the federal 11 standpoint, you'd have to ask the individual 12 agencies what their priorities are. 13 Q. So from your perspective for the 14 City of Cleveland then, it would be to address, 15 as you said, violent crime, the things that feed 16 on violent crime, correct? 17 A. Right, drugs, money and guns. 18 Q. Okay. And when you say "drugs," 19 what drugs do you include in that? 20 A. All of them. 21 Q. Do all drugs feed violent crime to 22 the same extent? 23 MR. PIFKO: Objection to form. 24 A. All illegal drugs, as well as some 25 drugs that aren't illegal, yes.</p>
<p style="text-align: right;">Page 361</p> <p>1 68? 2 A. Yes, or -- I think that includes the 3 68, because our officers that -- and detectives 4 that are assigned to task force operations, like 5 HIDTA, like the FBI's task force, will be 6 included in that 68. 7 Q. So the 68 and the 18 may overlap 8 here? 9 A. Yes. 10 Q. And then the next line, it says, 11 "Prosecutor," and USAO I assume is the U.S. 12 Attorney's Office. And CCPO, is that the 13 Cuyahoga County Prosecutor's Office? 14 A. That's correct. 15 Q. If you would turn, then, to page 9 16 of the PowerPoint. If you could just read that 17 slide to yourself and I'll ask you a couple 18 questions. 19 A. Okay. 20 Q. And there's a reference in the first 21 bullet point to a focus on addressing the 22 emerging narcotics and violent crime threats in 23 Greater Cleveland. 24 Do you see that? 25 A. Yes.</p>	<p style="text-align: right;">Page 363</p> <p>1 Q. Do some of them have more of an 2 impact on violent crime than others? 3 MR. PIFKO: Objection to form. 4 A. More of an impact? 5 Q. On violent crime. Are there some 6 drugs that are more associated with violent 7 crime than other drugs? 8 MR. PIFKO: Objection to form. 9 A. I think historically, yes, and those 10 are the illegal drugs, historically. 11 Q. Is it different today than it has 12 been historically? 13 A. I think it is. 14 Q. And in what way is it different 15 today? 16 A. Probably the reason we're sitting 17 here today is because of, you know, the opioid 18 crisis and that drug, which is a legal drug, or 19 legal drugs that have kind of spurred the 20 illegal drug trade to explode. 21 Q. Well, let me ask you this: Is 22 there -- in terms -- just focusing on the 23 illegal activities that relate specifically to 24 legal opioids, leaving aside heroin and fentanyl 25 or other illegal opioids, focusing just on the</p>

<p style="text-align: right;">Page 364</p> <p>1 legal opioids, do you -- have you seen much 2 violent crime that's associated just with people 3 stealing or whatever else they do illegally with 4 prescription opioids? 5 MR. PIFKO: Objection to form. 6 A. Yes. Yes. 7 Q. And what kinds of violent crimes do 8 you see associated just with prescription 9 opioids? 10 A. I'm sure that we can go back in the 11 record and take a look at things like robberies, 12 home burglaries, things like that, for people 13 that wanted to get either access to prescription 14 medication or money to buy those things. 15 Q. Is it -- is the amount of violent 16 crime associated with prescription opioids the 17 same as the amount of violent crime that you see 18 with respect to cocaine, for example? 19 MR. PIFKO: Objection to form. 20 A. Again, I'd probably have to answer 21 that two ways. Historically, no, but currently, 22 I mean, the reason we're sitting here is because 23 you really can't divorce those two things right 24 now. 25 Q. All right. But what I'm asking you</p>	<p style="text-align: right;">Page 366</p> <p>1 you need to take into account the violent crime 2 associated with heroin and other illegal 3 opioids? Is that what you're saying? 4 MR. PIFKO: Objection to form. 5 A. I think I'm saying the opposite. 6 You need to take into account the violent crime 7 associated with prescription drugs that also 8 leads to the -- that also matches itself up with 9 everything related to illegal drugs. 10 Q. There is -- going back to page 9 of 11 the PowerPoint, you have -- there's a list of 12 four categories of significant cases. 13 Do you see that? 14 A. Yes. 15 Q. And one is "Long-term 16 fentanyl/opioid investigations." 17 Do you see that? 18 A. Yes. 19 Q. And does that refer to illegal 20 trafficking in those drugs? 21 MR. PIFKO: Objection to form. 22 A. Again, I think it refers to the 23 entire gamut of how both legal and illegal drugs 24 cross paths and how that leads to overdoses, 25 deaths and violence in the city.</p>
<p style="text-align: right;">Page 365</p> <p>1 to do is -- there are crimes that people commit 2 relating specifically to prescription opioids, 3 correct? 4 A. Yes. 5 Q. For example, people might rob them 6 from a house? 7 A. Yes. 8 Q. And that would be a crime? 9 A. Yes. 10 Q. It might be a violent crime, it 11 might not, but it might be a violent crime? 12 A. Yes. 13 Q. But the amount of violent crime that 14 you see for cocaine, for example, is typically 15 higher, is it not? 16 MR. PIFKO: Objection to form. 17 A. Again, traditionally, and I'm 18 talking going back, you know, a decade or so -- 19 traditionally, your preference would be right, 20 but as we look at the last, I'd say, six, seven, 21 eight, nine years, I don't think you can divorce 22 the two. 23 Q. So what you're saying is that the 24 reason you say you can't divorce -- when you say 25 you can't divorce the two, what you mean is that</p>	<p style="text-align: right;">Page 367</p> <p>1 Q. Are you expecting this strike force 2 to do any work specific to prescription opioids? 3 A. I think -- 4 MR. PIFKO: Objection to form. 5 A. I think you would have to ask the 6 DEA about that. I know they are looking at 7 every aspect of drug trafficking, whether legal 8 or illegal. 9 Q. Are you aware of anything specific 10 that this strike force is expected to do 11 relating to prescription opioids? 12 A. Prescription opioids? 13 Q. Yes. 14 A. Again, I think the DEA has the lead 15 on that. You would have to talk to them. 16 Q. So you don't know? 17 A. No, I don't know. 18 Q. And you also referred -- you 19 referred to three drivers of violent crime. One 20 was drugs? 21 A. Drugs. 22 Q. One was guns? 23 A. Yes. 24 Q. And one was money? 25 A. Correct.</p>

<p style="text-align: right;">Page 368</p> <p>1 Q. When you say "money," what are you 2 referring to?</p> <p>3 A. It's all about money. It's all 4 about money. Whether you're trafficking in 5 drugs or guns, it's all about money.</p> <p>6 Q. Are there other activities relating 7 to money that lead to violent crime?</p> <p>8 A. I'm sorry. I don't get the --</p> <p>9 Q. Well, you say it's all about money, 10 but presumably people are doing things to get 11 money, correct?</p> <p>12 A. Correct.</p> <p>13 Q. Well, what kinds of activities to 14 get money, other than selling guns and drugs, 15 are you focused on in terms of violent crime?</p> <p>16 MR. PIFKO: Objection to form.</p> <p>17 A. I don't get your question.</p> <p>18 Q. All right. Well, let me ask it this 19 way: You say guns, drugs and money. Let's talk 20 about guns for a minute. Part of what your 21 focus is on there is just people selling drugs 22 and -- selling guns and using guns, correct?</p> <p>23 A. Correct.</p> <p>24 Q. And you arrest people for that?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 370</p> <p>1 A. No. It depends.</p> <p>2 Q. All right. If you would turn to the 3 next page. I have a question on the very last 4 bullet point on page 10 of the PowerPoint. It 5 refers to Cleveland's unique gang problem. What 6 is Cleveland's unique gang problem?</p> <p>7 A. I think it's kind of explained in 8 that bullet itself. You know, there are some 9 cities around the country that have regimented, 10 structured criminal gangs, criminal enterprises, 11 and you don't see that to that degree here in 12 Cleveland. Most of the gangs are fractured, 13 they're loosely affiliated groups in 14 neighborhoods and people like that, so it's a 15 lot harder to attack that if there's no head, if 16 there's no structure as far as people that do 17 that type of activity, so it's a lot harder to 18 attack.</p> <p>19 Q. And is that a new issue in Cleveland 20 or has it been that way for a long time?</p> <p>21 A. It comes and goes, to be honest.</p> <p>22 Q. Is there any -- has the coming and 23 going been influenced in any way by changes over 24 time in the drug trade?</p> <p>25 A. Of course. When there's more</p>
<p style="text-align: right;">Page 369</p> <p>1 Q. And some of those people I assume 2 are involved in drug trafficking?</p> <p>3 A. Correct.</p> <p>4 Q. And some of them are not, correct?</p> <p>5 A. Most are, but yeah, some aren't. 6 Yes.</p> <p>7 Q. But there are people who buy and 8 sell and use guns illegally in Cleveland who are 9 not involved in narcotics trafficking, correct?</p> <p>10 MR. PIFKO: Objection to form.</p> <p>11 A. Very few.</p> <p>12 Q. Very few?</p> <p>13 A. Yes.</p> <p>14 Q. Has anybody tried to calculate how 15 many they are?</p> <p>16 A. No. I can tell you that most of our 17 arrests that involve gun seizures and things 18 like that have some kind of nexus to drug 19 trafficking.</p> <p>20 Q. And that would be a variety of 21 drugs, including cocaine, heroin, meth?</p> <p>22 A. All drugs, yes.</p> <p>23 Q. Does everybody sell all -- who's 24 involved in drug trafficking sell all drugs or 25 do people specialize?</p>	<p style="text-align: right;">Page 371</p> <p>1 availability for stuff, you get these gangs kind 2 of, I guess, organizing a lot better, so they're 3 not fighting each other for territory and things 4 like that all the time.</p> <p>5 Q. If you would turn to page 16 of the 6 PowerPoint that's in Exhibit 28, there's a slide 7 about "Narcotics Defendants Indicted." 8 Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. Are these statistics that you're 11 familiar with?</p> <p>12 A. No, not really, and it doesn't 13 really have a context as far as are these 14 federal indictments, state indictments.</p> <p>15 Q. Well, I had a question and maybe you 16 can or can't answer this. One of the things 17 that strikes -- that sticks out about this 18 particular slide is that the indictments -- the 19 second highest year for indictments is 2007, the 20 highest is 2017, and then there's quite a drop 21 from 2007 to 2008.</p> <p>22 Do you have any idea of what the 23 reason for that could be?</p> <p>24 MR. PIFKO: Objection to form.</p> <p>25 A. I think it goes back to 2000 -- if</p>

<p style="text-align: right;">Page 372</p> <p>1 my memory serves me correctly, 2005, '06, '07</p> <p>2 there was a huge -- I wouldn't say a drug war,</p> <p>3 but there was a huge amount of drug activity</p> <p>4 through violent gangs in the City of Cleveland,</p> <p>5 and we made a ton of arrests during those years</p> <p>6 and that's probably why you see it going down</p> <p>7 shortly thereafter and then you see things start</p> <p>8 to spike, you know, according to what I can</p> <p>9 remember, when we had the opioid stuff start to</p> <p>10 take hold and then things started to go back up</p> <p>11 again.</p> <p>12 Q. What -- were there any particular</p> <p>13 drugs that were predominantly involved in that</p> <p>14 earlier period?</p> <p>15 A. In 2005, '06, and '07?</p> <p>16 Q. Yes.</p> <p>17 A. Again, back in those years I think</p> <p>18 the things that we were seeing out there on the</p> <p>19 streets of the city of Cleveland were the</p> <p>20 illegal drugs, mainly crack cocaine.</p> <p>21 Q. Some heroin also?</p> <p>22 A. No, not really, not so much; mainly</p> <p>23 crack cocaine.</p> <p>24 Q. If you would turn to page 25 of the</p> <p>25 PowerPoint. And this is a graph that shows</p>	<p style="text-align: right;">Page 374</p> <p>1 pertaining to cocaine or deaths overall, because</p> <p>2 that period showed them spike in all categories?</p> <p>3 Q. I'm asking you specifically about</p> <p>4 cocaine.</p> <p>5 A. Yes, everything.</p> <p>6 Q. Had you been aware that cocaine</p> <p>7 deaths were -- had gone up significantly during</p> <p>8 that period?</p> <p>9 A. I was aware that all deaths were</p> <p>10 going up due to overdoses in all these drug</p> <p>11 categories.</p> <p>12 Q. But I'm asking you specifically</p> <p>13 about cocaine. Were you aware that overdoses</p> <p>14 for cocaine had gone up?</p> <p>15 A. I guess my answer is yes. All the</p> <p>16 drug categories of overdose deaths had</p> <p>17 increased, including cocaine.</p> <p>18 Q. Did anybody talk to you about what</p> <p>19 reasons might be behind the increase in overdose</p> <p>20 deaths for cocaine specifically?</p> <p>21 A. Because cocaine was being mixed with</p> <p>22 other drugs.</p> <p>23 Q. Who told you that?</p> <p>24 A. Probably a variety of people, from</p> <p>25 the ME's office to our own narcotics folks.</p>
<p style="text-align: right;">Page 373</p> <p>1 overdose deaths from various drugs.</p> <p>2 Do you see that?</p> <p>3 A. Yes.</p> <p>4 Q. And do you see that one of the --</p> <p>5 one of the lines -- there's a line here for</p> <p>6 heroin, there's a line here for cocaine, there's</p> <p>7 one for fentanyl and so on.</p> <p>8 Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. If you look at the line that's</p> <p>11 got -- I think it's the triangles for cocaine --</p> <p>12 A. Okay. I think I'm looking at the</p> <p>13 right one. This is hard to --</p> <p>14 Q. It is a little hard. It was</p> <p>15 probably in color in the original.</p> <p>16 A. Um-hum.</p> <p>17 Q. It shows a spike in cocaine over the</p> <p>18 last couple years to 349 in 2017.</p> <p>19 Do you see that?</p> <p>20 MR. PIFKO: Objection to form.</p> <p>21 A. Yes.</p> <p>22 Q. Were you aware of increasing</p> <p>23 overdoses deaths from cocaine during that</p> <p>24 period?</p> <p>25 A. Is the question specifically</p>	<p style="text-align: right;">Page 375</p> <p>1 Q. If you would turn to page 30 of the</p> <p>2 PowerPoint. And I think you said earlier that</p> <p>3 you thought that USPIS refers to the Postal</p> <p>4 Inspection Service?</p> <p>5 A. Yes.</p> <p>6 Q. So this slide is talking about --</p> <p>7 what does the word "interdiction" mean in this</p> <p>8 context?</p> <p>9 A. It means to stop the flow of.</p> <p>10 Q. So this is stopping illegal</p> <p>11 shipments into the area of these drugs?</p> <p>12 A. Correct.</p> <p>13 Q. If you would turn to page 53 of the</p> <p>14 PowerPoint. This slide talks about threats that</p> <p>15 the strike force would be taking a look at. Am</p> <p>16 I reading that right?</p> <p>17 A. Yes. This is some of them, yes.</p> <p>18 Q. Are there threats that you think</p> <p>19 should have been listed here that are not?</p> <p>20 A. Well, again, this is a PowerPoint</p> <p>21 presentation. It's not the entire strategic</p> <p>22 plan for the strike force.</p> <p>23 Q. Well, do you think that the most</p> <p>24 important threats, the top priority threats, are</p> <p>25 listed here?</p>

<p style="text-align: right;">Page 376</p> <p>1 A. I'm sorry?</p> <p>2 Q. Does this list include what you</p> <p>3 would consider to be the top priority threats</p> <p>4 that the strike force should be looking at?</p> <p>5 MR. PIFKO: Objection to form.</p> <p>6 A. Well, again, I think all these</p> <p>7 threats tie into what I talked about earlier,</p> <p>8 violent crime and drugs, guns and money.</p> <p>9 Q. Does -- all right. But my question</p> <p>10 is, are there any sort of top -- well, let me</p> <p>11 ask it this way: Are there any priority threats</p> <p>12 that you think are more important than those</p> <p>13 that are listed here that are not on the list?</p> <p>14 A. Again, I don't think this is an</p> <p>15 all-inclusive list, but for the city of</p> <p>16 Cleveland it gets at our priority threats,</p> <p>17 drugs, guns and money, which lead to violent</p> <p>18 crime.</p> <p>19 MS. WINNER: I'd like to ask the</p> <p>20 reporter to mark as Exhibit 29 an e-mail with an</p> <p>21 attachment, or it may be a couple of</p> <p>22 attachments. The first -- the e-mail is from</p> <p>23 Dornat Drummond to Calvin Williams dated June</p> <p>24 14, 2016 and the production number on the first</p> <p>25 page is CLEVE_004057069.</p>	<p style="text-align: right;">Page 378</p> <p>1 A. Yes. He was the lead for the study.</p> <p>2 Q. Are you familiar with the -- with</p> <p>3 this attachment that begins with production</p> <p>4 number 071 in the bottom right-hand corner?</p> <p>5 That would be the third page of the exhibit.</p> <p>6 A. Yes.</p> <p>7 Q. Does this -- I want to show you --</p> <p>8 I'm not going to ask you any more questions</p> <p>9 about it, but I want to show you, just so we're</p> <p>10 on the same page, what was marked as Exhibit 21</p> <p>11 to your previous deposition, and ask you if --</p> <p>12 if there is a relationship between the study</p> <p>13 that's in Exhibit 29 and the report that's in</p> <p>14 Exhibit 21.</p> <p>15 MR. PIFKO: Objection to form.</p> <p>16 A. They're both related to the staffing</p> <p>17 of the Division of Police, and I'm trying to</p> <p>18 decipher whether this is the final or not, but</p> <p>19 we started this process in late 2015 and</p> <p>20 finished it in 2018, so there are probably -- I</p> <p>21 don't know -- half a dozen drafts of the study</p> <p>22 itself and the final plan.</p> <p>23 Q. So does Exhibit 21 reflect some of</p> <p>24 the analysis work that Lieutenant Butler did in</p> <p>25 preparing the final plan?</p>
<p style="text-align: right;">Page 377</p> <p>1 - - - - -</p> <p>2 (Thereupon, Williams Deposition</p> <p>3 Exhibit 29, E-Mail from Dornat</p> <p>4 Drummond to Calvin Williams, dated</p> <p>5 June 14, 2016, with Attachments,</p> <p>6 Beginning Bates Number</p> <p>7 CLEVE_004057069 - Marked Highly</p> <p>8 Confidential, was marked for</p> <p>9 purposes of identification.)</p> <p>10 - - - - -</p> <p>11 Q. Have you seen this before?</p> <p>12 A. Yes.</p> <p>13 Q. And you were a recipient of this</p> <p>14 e-mail?</p> <p>15 A. Yes.</p> <p>16 Q. Who is Dornat Drummond?</p> <p>17 A. He's the deputy chief of field</p> <p>18 operations for the Cleveland Division of Police.</p> <p>19 Q. And does Michael Butler report to</p> <p>20 him?</p> <p>21 A. Yes.</p> <p>22 Q. And Michael Butler is the person who</p> <p>23 is primarily responsible for the staffing study</p> <p>24 that is addressed in the attachment to this</p> <p>25 e-mail, correct?</p>	<p style="text-align: right;">Page 379</p> <p>1 A. Some of it, yes.</p> <p>2 Q. So going back to Exhibit -- you can</p> <p>3 put Exhibit 21 aside. We're not going to spend</p> <p>4 any more time on that. But just turning back,</p> <p>5 then, to Exhibit 29 and the study that is</p> <p>6 attached to that, if you would turn to -- there</p> <p>7 aren't any separate page numbers, so if you turn</p> <p>8 to the production number at the bottom, it's --</p> <p>9 076 is the last three digits. There's a heading</p> <p>10 just a little bit down the page saying, "Mission</p> <p>11 Oriented Staffing Questionnaire."</p> <p>12 A. Yes.</p> <p>13 Q. Do you see that?</p> <p>14 A. Yes.</p> <p>15 Q. Were you familiar with the Mission</p> <p>16 Oriented Staffing Questionnaire?</p> <p>17 A. Yes.</p> <p>18 Q. And were you briefed on the plans</p> <p>19 for that questionnaire and how it was</p> <p>20 implemented?</p> <p>21 A. Not all the questions, but yes, we</p> <p>22 talked about how we would actually set up this</p> <p>23 questionnaire.</p> <p>24 Q. And what was the purpose of the</p> <p>25 questionnaire?</p>

<p style="text-align: right;">Page 380</p> <p>1 A. Basically to survey the members, the 2 supervisors of the division, to really drill 3 down into their day-to-day tasks and 4 assignments. 5 And if I could kind of clarify one 6 thing. 7 Q. Sure. 8 A. I think what we're looking at here 9 in 20 -- Exhibit 29 is a lot of the study work 10 that was done to produce Exhibit 21. 11 Q. Thank you. 12 So one of the -- so one of the 13 things the questionnaire was doing was just 14 gathering basic information about what people 15 were doing, correct? 16 A. Correct. 17 Q. There was also an element that asked 18 various units to provide a -- a self-evaluation 19 of their current success at performing their 20 tasks? 21 A. I don't remember that part exactly, 22 but, I mean, we could go through this to see 23 exactly the questions that were asked of the 24 particular units within the division. 25 Q. Well, let me ask you to look at the</p>	<p style="text-align: right;">Page 382</p> <p>1 Q. Did you -- were these results used 2 as an input in the staffing recommendations that 3 went into the final report? 4 A. Yes. 5 Q. Who is responsible for each unit for 6 providing the self-ratings that are reported 7 here? 8 A. It was a combination of both 9 supervisors and the officers assigned to the 10 various units. 11 Q. So, for example, if we look at the 12 traffic unit, which is the top of the third 13 column, that would -- that would have been the 14 commander of the traffic unit and others in that 15 unit? 16 A. Correct. 17 Q. How about the narcotics unit? Who 18 would have provided the response for that? 19 A. The same thing. 20 Q. Would it have been Commander 21 Gingell? 22 A. Yes. 23 Q. Anybody in addition to him? 24 A. And whoever he deemed from his 25 staff, be it detectives or supervisors from that</p>
<p style="text-align: right;">Page 381</p> <p>1 page that's got production number 080, and 2 there's a heading at the top that says, "Mission 3 Oriented Staffing Questionnaire Results." 4 A. Yes. 5 Q. And the text -- there's a chart 6 with -- 7 (Interruption.) 8 THE WITNESS: Sorry. 9 MS. WINNER: Do you need to stop? 10 THE WITNESS: No. I thought I 11 turned it off. Sorry. 12 MS. WINNER: Okay. 13 THE WITNESS: Okay. Sorry. My 14 apologies. 15 MS. WINNER: No problem. 16 Q. There's a table that lists results 17 for the various units, and then above that is 18 text that reads, "As related in the previous 19 section, each unit was requested to provide a 20 self-assessment of their ability to complete 21 their mission essential tasks. Those tasks have 22 been averaged across each unit and provided 23 here." And then it provides the results, 24 correct? 25 A. Yes.</p>	<p style="text-align: right;">Page 383</p> <p>1 unit. 2 Q. Now, the narcotics unit, which is 3 the third from the bottom, provides a 100 4 percent self-rate. 5 Do you see that? 6 A. Yes. 7 Q. And what do you understand that to 8 mean? 9 A. That given the tools that they need 10 for their job and personnel, they could do it at 11 100 percent at that time. 12 Q. And these were all -- all of these 13 ratings were required to be made based on 14 current staffing levels, correct? 15 A. I'm not a hundred percent sure, but 16 again, this was in 2016 and it was -- I don't 17 know. I would have to look back through the 18 document to make sure. 19 Q. Well, let's look two pages back. 20 It's the page where the text begins at the top, 21 "The self-assessment of each mission essential 22 tasks was an effort to receive feedback 23 regarding how well the unit performs even though 24 they may be understaffed." 25 A. Yes.</p>

<p style="text-align: right;">Page 384</p> <p>1 Q. Is that consistent with your 2 understanding of what people were asked to 3 report on? 4 MR. PIFKO: Objection to form. 5 A. Yes. 6 Could I add some context to that? 7 Q. Sure. Absolutely. 8 A. And I'm glad you pointed me back to 9 that part of the study because it kind of shows 10 that there are some units that are understaffed, 11 but they have the supervisors, the members in 12 that unit that -- regardless of the staffing, 13 that basically get the job done, and that can 14 only go on for so long, until all that -- all 15 those folks and the people within that unit or 16 that operation get burnt out. So that's why we 17 really did the study, to take a look at, you 18 know, even if you're understaffed, you know, 19 what type of job you're doing, and for the most 20 part we know that based on the things that we 21 get back from these units, but at a certain 22 point in time it's not going to be enough and 23 those folks are going to get burnt out. 24 Q. But the majority of the units that 25 responded to this report felt that at current</p>	<p style="text-align: right;">Page 386</p> <p>1 A. Again, I'd have to look back through 2 the entire document to see what the levels were, 3 but I wouldn't say the majority of the units are 4 understaffed. 5 Q. How many self-reported at a 6 hundred -- gave a self-rating of a hundred 7 percent on the table that appears on the page 8 with the production number 080? 9 A. 13. 10 Q. And that is less than half, correct? 11 A. I'm sorry? 12 Q. That's considerably less than half 13 of the units that are listed on this page, 14 correct? 15 A. Yes. 16 MS. WINNER: I'd like to ask the 17 reporter to mark as Exhibit 30 a document 18 entitled "CDP Heroin/Fentanyl Strategy, Draft 19 9-29-16." The production number at the bottom 20 of the first page ends in the digits 15524. 21 - - - - - 22 (Thereupon, Williams Deposition 23 Exhibit 30, Multi-Page Document 24 Entitled "CDP Heroin/Fentanyl 25 Strategy, Draft 9-29-16," Beginning</p>
<p style="text-align: right;">Page 385</p> <p>1 staffing levels they weren't able to fully 2 complete their mission, correct? 3 MR. PIFKO: Objection to form. 4 A. The majority? 5 Q. Yes. 6 A. Well, if you look at the averages, I 7 would say that the majority said that they could 8 at their current staffing level. 9 Q. Well, they were less than a hundred 10 percent, the majority were less than a hundred 11 percent, correct? 12 A. I wouldn't say the majority, but a 13 lot of our units are less than a hundred percent 14 staffing, but if you look at the percentages -- 15 and I'd probably draw the line at about the 60s, 16 60 percent that starts at the transport unit. 17 Over two-thirds of the unit basically think they 18 can provide at least a minimum level of service 19 at the current staffing, but again, when you do 20 that over and over again, people get burnt out 21 and that level goes down considerably as time 22 goes on. 23 Q. But am I correct that the majority 24 reported less than a hundred percent? 25 MR. PIFKO: Objection to form.</p>	<p style="text-align: right;">Page 387</p> <p>1 Bates Number CLEVE_002715524 - 2 Marked Confidential, was marked for 3 purposes of identification.) 4 - - - - - 5 Q. Are you familiar with this document? 6 A. I can't say specifically that I am. 7 Q. Did you receive outlines of a 8 heroin/fentanyl strategy from Commander Gingell? 9 A. I probably received a dozen outlines 10 from Commander Gingell on strategies. 11 Q. And those are strategies relating to 12 heroin and fentanyl? 13 A. Related to narcotics in general and 14 their mission. I can't say that this is one I 15 received directly, and it's marked "draft," so 16 -- 17 Q. Well, it was produced from your 18 files, so I just wanted to know if you were 19 familiar with it. 20 A. I can't say that I'm a hundred 21 percent sure I actually looked at this. 22 Q. I'd like to ask the reporter to mark 23 as Exhibit 31 an e-mail with an attachment. The 24 e-mail is from Jennifer Ciaccia -- does that -- 25 A. Ciaccia.</p>

<p style="text-align: right;">Page 388</p> <p>1 Q. -- Ciaccia, okay, to a number of 2 people, including Calvin Williams, dated May 3 25th, 2017. The last four digits of the 4 production number are 4960. 5 - - - - - 6 (Thereupon, Williams Deposition 7 Exhibit 31, E-Mail From Dornat 8 Drummond to Calvin Williams, dated 9 November 16, 2016, with Attachment, 10 was marked for purposes of 11 identification.) 12 - - - - - 13 Q. Are you familiar with this exhibit? 14 A. Yes. 15 Q. And who is the sender? 16 A. Sergeant Jennifer Ciaccia. She's 17 the public information officer for the Division 18 of Police. 19 Q. And she is sending you a draft press 20 release for the Narcan roll out. 21 Do you see that? 22 A. Yes. 23 Q. And what was the Narcan roll out? 24 A. It was basically the announcement 25 that Division of Police members would be</p>	<p style="text-align: right;">Page 390</p> <p>1 did he receive or she receive Narcan right away 2 for subsequent shifts or did you wait until 3 everybody was trained and then roll it out to 4 everybody at once? 5 A. I can't specifically remember, but I 6 know that once -- once the training was 7 completed, the Narcan was actually placed in 8 individual zone cars. The officers didn't 9 receive it themselves. It was in the car in a 10 kit for the officers to deploy if they needed 11 it. 12 Q. So did you wait until all the 13 officers using that unit had been trained before 14 the kit was put in the car or did you -- 15 A. Again, I really can't remember, but 16 more than likely we probably waited until 17 everybody got trained because we didn't want the 18 kit in the car with two officers who weren't 19 trained to use and then not be able to utilize 20 it. 21 Q. The last paragraph of this exhibit, 22 the last sentence says, "The total start-up cost 23 of the project is \$34,000." 24 Do you see that? 25 A. Yes.</p>
<p style="text-align: right;">Page 389</p> <p>1 equipped with Narcan. 2 Q. And then the draft of the release is 3 the exhibit to this e-mail, correct? 4 A. Yes. 5 Q. And in the second paragraph of the 6 release there's a reference to -- there's a 7 description of the training curriculum. If you 8 would just read that to yourself. 9 A. Okay. 10 Q. Is that an accurate description of 11 the training curriculum for Narcan that was used 12 at this time? 13 A. I'd have to defer to the actual 14 training. I don't know. 15 Q. One of the things it says is the 16 training curriculum takes one hour. Does that 17 sound right to you? 18 A. I think it was a little more than 19 that, but -- 20 Q. How much more? 21 A. I think cars were out of service for 22 at least a couple hours, but again, I'd have 23 to -- I mean, EMS has the exact curriculum 24 because they taught it. 25 Q. Once an officer had been trained,</p>	<p style="text-align: right;">Page 391</p> <p>1 Q. Is that an accurate number? 2 A. Again, I couldn't tell you. I don't 3 know if that number is based on the Narcan kits 4 themselves, if it's based on the overtime for 5 officers that had to be taken off the roll to be 6 trained, the training time for EMS personnel 7 themselves. We'd have to look further into 8 that. 9 Q. I take it that we'd have to answer 10 the question you just posed before we could 11 figure out where we would find it in the budget? 12 A. I don't know if you would actually 13 find it in the budget. I don't know if it was 14 something that they actually put in the budget. 15 I think it was something that we were going to 16 do, we did it, and then we calculated probably 17 the cost afterwards. 18 MS. WINNER: I ask the reporter to 19 mark -- ask the reporter to mark as Exhibit 32 20 an e-mail to Calvin Williams from Dornat 21 Drummond dated November 16th, 2016 with an 22 attachment; production number, last four digits 23 is 5127. 24 - - - - - 25 (Thereupon, Williams Deposition</p>

<p style="text-align: right;">Page 392</p> <p>1 Exhibit 32, E-Mail from Dornat 2 Drummond to Calvin Williams, dated 3 November 16, 2016, Beginning Bates 4 Number CLEVE_002715127, was marked 5 for purposes of identification.) 6 - - - - - 7 Q. Have you had a chance to look at 8 this exhibit? 9 A. Yes. 10 Q. Do you recognize it? 11 A. Yes. 12 Q. Can you tell us what the violent 13 crime response initiative was? 14 A. I think it's spelled out there. 15 It's -- you know, from time to time law 16 enforcement agencies will pool all their 17 resources for a specified time period and 18 conduct initiatives, whether it's a traffic 19 initiative, whether it's a crime initiative, 20 whether it's a community engagement initiative. 21 This was a violent crime response initiative. 22 Q. And over what period of time was 23 this -- was the violent crime response 24 initiative, in fact, implemented? 25 A. Yes.</p>	<p style="text-align: right;">Page 394</p> <p>1 A. Violent crime reduction. 2 Q. Just generally? 3 A. Yeah, generally, and those things, 4 as you can see in the document, the agencies 5 involved, the people that were a part of the 6 initiative and some of their responsibilities 7 were folded into this initiative also, like 8 warrant service from the U.S. Marshals and our 9 fugitive guys. 10 Q. Who was responsible for this 11 initiative? 12 A. Deputy Chief Drummond. 13 Q. And why was Deputy Chief Drummond 14 responsible for it? 15 A. Because he has the bulk of the 16 resources in field operations. 17 Q. Is he generally the person who's in 18 charge of initiatives? 19 A. Depends on what the initiative is. 20 Q. Have you had other violent crime 21 response initiatives over the last few years 22 since you've been chief? 23 A. Yes. 24 Q. How many? 25 A. I couldn't give you a number.</p>
<p style="text-align: right;">Page 393</p> <p>1 Q. And over what period of time? 2 A. I'd have to go back and look at the 3 stats on this. Probably a minimum of 30 days, 4 but I'm not exactly sure. 5 Q. And was there anything in particular 6 that caused you to do it at that time? 7 A. Again -- 8 MR. PIFKO: Objection to form. 9 A. -- agencies from time to time take a 10 look at things that are happening within their 11 jurisdictions and they pool all resources to 12 attack it for a certain time period. 13 Q. Was there any particular trigger for 14 this one? 15 A. Not that I can remember offhand, but 16 I'm sure there was something out there going on. 17 Q. Was it successful? 18 A. You know, these things are sometimes 19 hit or miss. It depends on the time of year. 20 It depends on the resources. It depends on a 21 lot of things. I think for the most part it was 22 probably successful in the things that we wanted 23 to do out there. 24 Q. And what were you trying to achieve 25 with this particular initiative?</p>	<p style="text-align: right;">Page 395</p> <p>1 Q. More than ten? 2 A. Yes. 3 Q. More than 20? 4 A. Probably, yes. 5 Q. Have you had any initiatives during 6 the period you've been chief that were directed 7 at anything else? 8 A. Again, they come in the form of 9 traffic initiatives, if there are traffic issues 10 going on. You know, community engagement 11 initiatives where we want to get out there. 12 Recruitment initiatives. I mean, there are -- I 13 don't know -- a dozen things that we do out 14 there where we have targeted resources. 15 Q. Were there any other initiatives 16 during that period that related to any kind of 17 major crimes? 18 MR. PIFKO: Objection to form. 19 A. During? 20 Q. During the time you've been chief. 21 A. Yes. 22 Q. And can you tell me what kinds of 23 crimes you've had initiatives for? 24 A. We attack violent crime as one -- as 25 one entity. I don't think we separate it out</p>

<p style="text-align: right;">Page 396</p> <p>1 too much. Sometimes we do. Sometimes there is 2 just felony warrant service. And that 3 encompasses whether it's drug dealers or rape 4 suspects or homicide suspects. Again, we would 5 have to go back and look through everything 6 that's happened over the last five years, but we 7 do a ton of initiatives every year. 8 MS. WINNER: Why don't we take a 9 break, a short break. 10 THE VIDEOGRAPHER: Off the record, 11 12:20. 12 (Recess had.) 13 THE VIDEOGRAPHER: On the record, 14 12:33. 15 EXAMINATION OF CALVIN D. WILLIAMS 16 BY MR. ZIPP: 17 Q. Good afternoon, Chief Williams. 18 A. Good afternoon. 19 Q. I introduced myself earlier but my 20 name is John Zipp of the law firm Covington & 21 Burling and I represent McKesson. 22 MR. ZIPP: I would like to ask the 23 court reporter to please mark as Williams 24 Exhibit 33 a multi-page document bearing Bates 25 number CLEVE_002369389.</p>	<p style="text-align: right;">Page 398</p> <p>1 A. Our LERM system. 2 Q. Your LERM system? 3 A. Yes. 4 Q. And who creates this document? 5 A. Crime analysis unit. 6 Q. And what is the crime analysis unit? 7 A. They basically put together stat 8 reports that -- they basically put together 9 crime reports and stat reports from our record 10 management system. 11 Q. And is this CERP report sent to 12 everyone in the division? 13 A. It's sent to the command staff. 14 Q. And what is the purpose of it? 15 A. For one, it keeps us up on what our 16 actual numbers are as far as Part 1 crime, 17 enforcement activities, and it also gives the 18 various commanders an idea of what's happening 19 within their specific areas because it goes into 20 a district-by-district comparison of the same 21 numbers. 22 Q. So is it used to evaluate how the 23 department is handling certain investigations or 24 types of investigations? 25 A. No. This is just a breakdown of the</p>
<p style="text-align: right;">Page 397</p> <p>1 - - - - - 2 (Thereupon, Williams Deposition 3 Exhibit 33, Weekly Summary 4 Statistics Report Beginning Bates 5 Number CLEVE_002369389, was marked 6 for purposes of identification.) 7 - - - - - 8 Q. Chief Williams, do you recognize 9 this document? 10 A. Yes. 11 Q. What is it? 12 A. This is a weekly summary stats 13 report, we call a CERP report, for week 17 of 14 2018. 15 Q. Okay. And this CERP report, this 16 particular document, is comparing week 17 in 17 2018 to the same week but in 2017, correct? 18 A. Right. And also a week-to-week 19 comparison to -- week 16 to 17, 17 to 18. 20 Q. And the data -- where does this data 21 that is populated here -- where does this come 22 from? 23 A. It comes out of our record 24 management system. 25 Q. And what is that?</p>	<p style="text-align: right;">Page 399</p> <p>1 actual hard crime numbers and enforcement 2 numbers for the division. 3 Q. Is it used in any way to determine 4 resources, if you need more resources? 5 A. Sometimes. It can be. 6 Q. In what way? 7 A. Well, for example, if we're 8 experiencing a huge uptick in, say, felonious 9 assaults in a certain neighborhood, then we 10 would deploy resources to that neighborhood to 11 assist that district commander. 12 Q. And would that only be temporarily? 13 A. Yes. 14 Q. And you receive this, correct? 15 A. Yes. 16 Q. On a weekly basis? 17 A. Correct. 18 Q. And when you receive this document, 19 what is the first thing that you do when you 20 look at it? 21 MR. PIFKO: Objection to form. 22 A. The first thing that I do? 23 Q. Yes. 24 A. I review it. 25 Q. What are you looking for?</p>

<p style="text-align: right;">Page 400</p> <p>1 A. Everything. I look, you know, cover 2 to cover on what we're doing. 3 Q. Based off of this document, have you 4 implemented any changes yourself? 5 A. Yes. 6 Q. What were those changes? 7 MR. PIFKO: Objection to form. 8 A. Probably -- I don't know -- three, 9 four dozen things. Curfew enforcement, 10 nighttime curfew. We made sure that our 11 districts out there did what we talked about 12 earlier, special initiatives to address 13 nighttime curfew. 14 Q. If you look down in the middle of 15 the page, it says, "Enforcement Actions." 16 A. Yes. 17 Q. And there are four that are listed 18 under "Arrests." 19 Do you see that? 20 A. Yes. 21 Q. Why are those four specific ones 22 listed there? 23 A. It's just traditionally how this 24 document has been set up over the years. 25 Q. Are those four that are the most</p>	<p style="text-align: right;">Page 402</p> <p>1 Q. So that is 17 fewer arrests in 2018? 2 A. Yes. Yes, you're right. 3 Q. And then if you look at the 4 year-to-date, the change between 2017 and 2018 5 is negative 28 percent? 6 A. Correct. 7 Q. So that means that there was a 8 reduction in narcotics arrests by 28 percent? 9 A. Correct, over that time period. 10 Q. Now, looking just at the very top 11 here, it says, "2018 total homicides 33." 12 Do you see that? 13 A. 2017? 14 Q. No; no; no. At the very top, before 15 you actually get into the chart, if you read 16 along -- 17 A. Yes. Okay. 18 Q. Now, does that data include heroin 19 overdoses? 20 A. For homicides, no. 21 Q. Isn't it true that when detectives 22 respond to a suspected overdose, they treat it 23 as a homicide scene now? 24 MR. PIFKO: Objection to form. 25 A. They treat it as a death scene</p>
<p style="text-align: right;">Page 401</p> <p>1 important to Cleveland Police Department? 2 A. Well, I wouldn't say the most 3 important, but they do touch on the things that 4 we really track, weapons, narcotics. The grand 5 theft motor vehicle was probably thrown in there 6 at a time where we had elevated levels of motor 7 vehicles being stolen so we wanted to 8 specifically look at that. But again, this 9 document kind of changes over time. 10 Q. And specifically looking at 11 narcotics for the week -- the week of 2018 12 compared to the week of 2017, there's a 13 reduction of 17 arrests, correct? 14 A. There were -- for this week, this 15 specific week in 2017, there were -- for 16 narcotics there were 671 narcotics arrests, and 17 for that same time period in 2018 there were 482 18 narcotics arrests. 19 Q. Chief Williams, I'm looking at 20 the -- not the year-to-date but specifically 21 just that week. 22 A. Oh, week to week? 23 Q. Yes. 24 A. Okay. There were 47 in the same 25 week in 2017 and 30 in 2018.</p>	<p style="text-align: right;">Page 403</p> <p>1 that's investigated, yes. 2 Q. Is anywhere in here reflected heroin 3 overdoses? 4 A. No. 5 MR. ZIPP: I would like to ask the 6 court reporter to please mark as Williams 7 Exhibit 34 a three-page document bearing Bates 8 number CLEVE_003394701. 9 - - - - - 10 (Thereupon, Williams Deposition 11 Exhibit 34, Bureau of Special 12 Services Monthly Stat Sheet 13 Beginning Bates Number 14 CLEVE_003394701, was marked for 15 purposes of identification.) 16 - - - - - 17 Q. Chief Williams, do you recognize 18 this document? 19 A. Yes. 20 Q. What is it? 21 A. It's a monthly stats sheet for the 22 Bureau of Special Services. 23 Q. Is this monthly stat sheet something 24 that is -- how do these two documents -- how 25 does Exhibit 33 and the monthly stat sheet</p>

<p style="text-align: right;">Page 404</p> <p>1 interact?</p> <p>2 MR. PIFKO: Objection to form.</p> <p>3 A. The only way they should interact --</p> <p>4 well, they interact in a couple of categories</p> <p>5 here, felony and misdemeanor drug arrests,</p> <p>6 prostitution arrests, and I think we also look</p> <p>7 at alcohol arrests, or citations I should say.</p> <p>8 This is a sheet that's completed by the district</p> <p>9 level vice units that's sent down and then it's</p> <p>10 compiled in the monthly stats.</p> <p>11 Q. And so this is created every month?</p> <p>12 A. Yes.</p> <p>13 Q. And you mentioned who creates it.</p> <p>14 Is there a particular person in each district</p> <p>15 that creates it?</p> <p>16 A. Somebody from that vice unit.</p> <p>17 Q. Someone from that vice unit?</p> <p>18 A. Right.</p> <p>19 Q. Do you know who created this one for</p> <p>20 the fifth district vice unit?</p> <p>21 A. I don't know who created it, but I</p> <p>22 know at the time back in 2012 Lieutenant Purcell</p> <p>23 is the supervisor of that unit that signed off</p> <p>24 on it.</p> <p>25 Q. And these are generated in the</p>	<p style="text-align: right;">Page 406</p> <p>1 information all come from LERMs?</p> <p>2 A. Yes.</p> <p>3 Q. When you were a commander of the</p> <p>4 fifth district, which was 2006 to 2011, correct?</p> <p>5 A. The fifth and the third, correct.</p> <p>6 Q. When they shifted?</p> <p>7 A. Yes.</p> <p>8 Q. Were these types of documents</p> <p>9 produced during that time?</p> <p>10 A. Yes.</p> <p>11 Q. And during that time you -- these</p> <p>12 documents kept track of felony drug arrests,</p> <p>13 correct?</p> <p>14 A. Correct.</p> <p>15 Q. As well as narcotics that were</p> <p>16 seized?</p> <p>17 A. Yes.</p> <p>18 Q. And during that time they also kept</p> <p>19 track of the quantity of prescription pills that</p> <p>20 were seized, correct?</p> <p>21 A. Correct.</p> <p>22 I'm sorry. At the district level?</p> <p>23 Q. Yes.</p> <p>24 A. Yes.</p> <p>25 Q. Thank you.</p>
<p style="text-align: right;">Page 405</p> <p>1 ordinary course of operations, correct?</p> <p>2 A. Yes.</p> <p>3 Q. And in creating this document, they</p> <p>4 try to be as accurate as possible?</p> <p>5 MR. PIFKO: Objection to form.</p> <p>6 A. They try, yes.</p> <p>7 Q. And does every district receive a</p> <p>8 copy of the other district's monthly statistics?</p> <p>9 A. No. They can look at the CERP</p> <p>10 report for a lot of that, or if they want to</p> <p>11 exchange district to district, they can.</p> <p>12 Q. What is the purpose then of creating</p> <p>13 these monthly statistics?</p> <p>14 A. Stats. We're an agency that keeps</p> <p>15 numbers.</p> <p>16 Q. Does that impact your staffing</p> <p>17 levels?</p> <p>18 A. Sometimes, yes.</p> <p>19 Q. So if, for example, you see that a</p> <p>20 particular district has more of one type of</p> <p>21 arrest or crime, will you reallocate officers to</p> <p>22 that district?</p> <p>23 A. Again, for a short period of time,</p> <p>24 yes.</p> <p>25 Q. And you said -- does this</p>	<p style="text-align: right;">Page 407</p> <p>1 MR. ZIPP: I'd like to ask the court</p> <p>2 reporter to please mark as Williams Exhibit 35</p> <p>3 an e-mail from James McPike to David Carroll, a</p> <p>4 three-page -- or four-page document from McGrath</p> <p>5 to David Carroll, bearing Bates number</p> <p>6 002605707.</p> <p>7 - - - - -</p> <p>8 (Thereupon, Williams Deposition</p> <p>9 Exhibit 35, E-Mail from Michael</p> <p>10 McGrath to David Carroll, dated</p> <p>11 January 6, 2019, with Attachment,</p> <p>12 Beginning Bates Number</p> <p>13 CLEVE_002605707, was marked for</p> <p>14 purposes of identification.)</p> <p>15 - - - - -</p> <p>16 Q. Chief Williams, do you recognize</p> <p>17 this e-mail?</p> <p>18 A. Yes.</p> <p>19 Q. And you received this e-mail,</p> <p>20 correct?</p> <p>21 A. Yes.</p> <p>22 Q. It was forwarded to you?</p> <p>23 A. Um-hum.</p> <p>24 Q. If you look at the bottom of the</p> <p>25 first page where the e-mail chain actually</p>

<p style="text-align: right;">Page 408</p> <p>1 starts, you will see that it was sent originally 2 from James McPike to David Carroll, correct? 3 A. Correct. 4 Q. Who is James McPike? 5 A. He's a captain in the fifth 6 district. 7 Q. And David Carroll is the acting 8 commissioner of corrections? 9 A. Yes. 10 Q. Is he still a police officer with -- 11 A. Yes. 12 Q. -- the Cleveland Division of Police? 13 A. Yes. 14 Q. And in looking at the e-mail, it 15 says that -- or Mr. McPike states that "The 16 county jail is turning away our prisoners." I 17 presume "our prisoners" means the Cleveland 18 Division of Police prisoners? 19 MR. PIFKO: Objection to form. 20 A. Yes. 21 Q. And he goes on to say, "in droves 22 and giving our officers the attached document," 23 which is the next two pages of Exhibit 35, 24 correct? 25 A. Yes.</p>	<p style="text-align: right;">Page 410</p> <p>1 Q. Why is that? 2 A. You would have to ask the county 3 sheriff's office. I don't know. 4 Q. So you -- but you received it -- the 5 first time you received it was on January 5th in 6 an attachment to an e-mail? 7 A. Yes. 8 Q. So the City of Cleveland was not 9 involved at all in the decision or this new 10 policy implementation by the county jail? 11 MR. PIFKO: Objection to form. 12 A. No. The city does not run the 13 county jail. 14 Q. But they weren't involved at all? 15 A. No. 16 Q. It's my understanding that -- so the 17 City of Cleveland does not run a jail, correct? 18 A. That's correct. 19 Q. And you send your -- or the police 20 department sends Cleveland Division of Police 21 prisoners to Cuyahoga County jail? 22 A. That's correct. 23 Q. And there's an agreement that it's 24 \$99 a day per prisoner, correct? 25 A. Yes.</p>
<p style="text-align: right;">Page 409</p> <p>1 Q. Mr. McPike then goes on to say that 2 there were -- because of this, there were 18 3 officers off the road, correct? 4 A. That's what he states, yes. 5 Q. And what does that mean? 6 A. It means in some way, shape or form 7 there were 18 patrol officers that were either 8 stuck at the jail or at a hospital facility and 9 not answering calls for service. 10 Q. And if they're stuck at the jail or 11 at the hospital, that means that that's less 12 time that they're out on the streets 13 investigating crimes? 14 A. Yes. 15 Q. Or responding to incidents? 16 A. Correct. 17 Q. Now, this new policy was made 18 effective on December 31st, 2018, so quite 19 recently, correct? 20 A. According to this document, yes. 21 Q. Do you have any reason to believe 22 that it was implemented earlier than that? 23 A. Well, I mean, this is according to 24 the document. The City of Cleveland never 25 officially received this document.</p>	<p style="text-align: right;">Page 411</p> <p>1 Q. Do you know who was involved in 2 enacting this policy? 3 A. A lot of folks from city hall, 4 public safety director, Commissioner Carroll. A 5 lot of people from the city side. 6 Q. And you played -- did you play -- 7 you specifically play any role in the creation 8 of this? 9 A. No. 10 Q. What impact has this policy had on 11 the Cleveland Division of Police's ability to 12 effectively investigate crimes? 13 MR. PIFKO: What policy are we 14 talking about? When you say "this," it's not 15 clear to me. 16 MR. ZIPP: The policy that we're 17 looking at, Exhibit 35, that no person can be 18 accepted into our custody until there's an 19 approval from a registered nurse. 20 Q. You can answer. 21 A. I don't know if I can answer that 22 specifically because we're still working through 23 this particular issue with the county jail. 24 Q. So this issue hasn't been resolved 25 yet?</p>

<p style="text-align: right;">Page 412</p> <p>1 A. No, not a hundred percent; no.</p> <p>2 Q. And when you say we are still</p> <p>3 working through this issue, who is that?</p> <p>4 A. Myself, the law department, director</p> <p>5 of public safety.</p> <p>6 Q. And what are you trying to</p> <p>7 accomplish when you're working through this?</p> <p>8 A. First off, we're trying to get an</p> <p>9 understanding of the policy itself. We have</p> <p>10 issues with some of the prisoners that are</p> <p>11 turned away and the reasoning for it, so we're</p> <p>12 trying to work through that with the county</p> <p>13 staff.</p> <p>14 Q. And what are those issues?</p> <p>15 A. Basically that some of these people</p> <p>16 should not be turned away, they should be</p> <p>17 accepted into the jail.</p> <p>18 Q. And what is the county jail's</p> <p>19 position on that?</p> <p>20 A. This policy.</p> <p>21 Q. In your discussions with them, do</p> <p>22 they just cite this policy?</p> <p>23 A. Yes.</p> <p>24 Q. They don't provide any other</p> <p>25 reasoning why?</p>	<p style="text-align: right;">Page 414</p> <p>1 county money?</p> <p>2 MR. PIFKO: Objection to form.</p> <p>3 A. I don't know, and I don't know if I</p> <p>4 really should get too deep into the city's</p> <p>5 contract with another agency that we're still</p> <p>6 trying to work out kinks in this. I don't know.</p> <p>7 I'm asking my counsel. I mean, the city has a</p> <p>8 contract with the Cuyahoga County Sheriff's</p> <p>9 Department to accept prisoners, and there's some</p> <p>10 issues with it that we're trying to work out.</p> <p>11 Q. Can you tell me some of the other</p> <p>12 issues that you're trying to work out aside from</p> <p>13 just this policy?</p> <p>14 MR. PIFKO: To the extent there's</p> <p>15 attorney-client communications, I'll instruct</p> <p>16 you not to answer. Aside from attorney-client</p> <p>17 communications, you can answer.</p> <p>18 A. It's all being talked or worked out</p> <p>19 between our city attorneys and the attorneys for</p> <p>20 the Cuyahoga County Jail.</p> <p>21 Q. Is Captain Gerome involved in it</p> <p>22 now?</p> <p>23 A. I don't know. I couldn't tell you</p> <p>24 who from their side. I've talked with the</p> <p>25 sheriff. I don't know who else is involved.</p>
<p style="text-align: right;">Page 413</p> <p>1 A. Not to this point, but again, we're</p> <p>2 still working through it.</p> <p>3 Q. And since that time -- when did</p> <p>4 you -- strike that.</p> <p>5 When did you begin discussions</p> <p>6 concerning this issue?</p> <p>7 A. I don't know. Probably shortly</p> <p>8 after this started happening the first of the</p> <p>9 year.</p> <p>10 Q. And on this day the issue still</p> <p>11 persists?</p> <p>12 A. I'm sorry?</p> <p>13 MR. PIFKO: Objection to form.</p> <p>14 Q. Strike that.</p> <p>15 On -- today there are still</p> <p>16 prisoners that are Cleveland Division of Police</p> <p>17 prisoners that are still being turned away based</p> <p>18 upon the policy that was enacted on December</p> <p>19 31st?</p> <p>20 A. Yes.</p> <p>21 Q. Do you have a sense of the number of</p> <p>22 individuals that have been rejected by the jail?</p> <p>23 A. Not exactly, but I'm sure</p> <p>24 Commissioner Carroll does.</p> <p>25 Q. Was this something that saved the</p>	<p style="text-align: right;">Page 415</p> <p>1 Q. Okay. Do you know if this policy</p> <p>2 has cost the City of Cleveland more money?</p> <p>3 A. I'm sure it has.</p> <p>4 Q. In what ways?</p> <p>5 A. Hospital cost.</p> <p>6 Q. Hospital cost why?</p> <p>7 A. Any prisoner that we take to the</p> <p>8 hospital, the city has to pay for that.</p> <p>9 MR. ZIPP: I would like to ask the</p> <p>10 court reporter to please mark as Williams</p> <p>11 Exhibit 36 an e-mail from Katherine Cruz on June</p> <p>12 29th, 2010, Bates number 003285751.</p> <p>13 - - - - -</p> <p>14 (Thereupon, Williams Deposition</p> <p>15 Exhibit 36, E-Mail from Katherine</p> <p>16 Cruz to Various Recipients, dated</p> <p>17 June 29, 2010, with Attachment,</p> <p>18 Beginning Bates Number</p> <p>19 CLEVE_003285751 - Marked Highly</p> <p>20 Confidential, was marked for</p> <p>21 purposes of identification.)</p> <p>22 - - - - -</p> <p>23 Q. Chief Williams, have you received</p> <p>24 e-mails like this from crime analysis?</p> <p>25 MR. PIFKO: Objection to form.</p>

<p style="text-align: right;">Page 416</p> <p>1 Q. I'll rephrase that.</p> <p>2 Chief Williams, have you received</p> <p>3 e-mails from crime analysis before?</p> <p>4 A. Yes.</p> <p>5 Q. And in those e-mails have they</p> <p>6 contained news alerts?</p> <p>7 A. From crime analysis, no.</p> <p>8 Q. So this, Exhibit 37, is unique for</p> <p>9 crime analysis to send that?</p> <p>10 MR. PIFKO: I think it's 36.</p> <p>11 Q. I apologize. 36.</p> <p>12 A. At this present day and time, yes.</p> <p>13 Q. How about now?</p> <p>14 A. That's what I'm saying, we -- crime</p> <p>15 analysis does not send out bulletins and alerts.</p> <p>16 That's not their function.</p> <p>17 Q. And their function, as you said</p> <p>18 earlier, was to generate CERP reports and so on?</p> <p>19 A. Correct.</p> <p>20 Q. Does crime analysis also -- is one</p> <p>21 of their functions to identify trends or new</p> <p>22 trends in crime?</p> <p>23 A. Yes.</p> <p>24 Q. And when they do this, is the only</p> <p>25 way that they notify the division through CERP</p>	<p style="text-align: right;">Page 418</p> <p>1 Q. If you flip to the third page, this</p> <p>2 is a report from HIDTA, correct?</p> <p>3 A. Correct.</p> <p>4 Q. And does HIDTA -- is this a type of</p> <p>5 document that HIDTA regularly generates?</p> <p>6 A. Yes.</p> <p>7 Q. And this particular -- would you</p> <p>8 refer to it as a report or a news alert?</p> <p>9 A. A bulletin.</p> <p>10 Q. A bulletin?</p> <p>11 A. Yes.</p> <p>12 Q. And this particular bulletin is from</p> <p>13 May of 2010, correct, if you flip to the next</p> <p>14 page over, at the very top?</p> <p>15 A. Yeah. That second page says, "May</p> <p>16 2010."</p> <p>17 Q. Do you have any reason to believe</p> <p>18 that the first page is not connected to the</p> <p>19 second page?</p> <p>20 A. Yeah. Yes. I'm sorry. It's not --</p> <p>21 I mean, the bottom of the first page reads, "The</p> <p>22 following four summaries are from case reports</p> <p>23 of undercover buys, seizures and," and then the</p> <p>24 top of the next page says "Case Summary" and</p> <p>25 gets into a totally different subject matter.</p>
<p style="text-align: right;">Page 417</p> <p>1 reports?</p> <p>2 A. No; no. They can send individual</p> <p>3 notifications, and usually they do that upon</p> <p>4 request by a unit or operation within the</p> <p>5 division to take a look at certain things and</p> <p>6 then send that report to them.</p> <p>7 Q. Are there any other instances in</p> <p>8 which crime analysis finds a -- or discovers a</p> <p>9 new type of trend or an increasing trend without</p> <p>10 being asked to look into it?</p> <p>11 MR. PIFKO: Objection to form.</p> <p>12 A. No. That's not what they do.</p> <p>13 Q. That's not what they do?</p> <p>14 A. No.</p> <p>15 Q. Do you know if Detective Kathy Cruz</p> <p>16 is still with the Cleveland Police Department?</p> <p>17 A. She is not.</p> <p>18 Q. Do you know when she left the</p> <p>19 Cleveland Police Department?</p> <p>20 A. Not exactly. She retired -- I don't</p> <p>21 know -- either '17 or '18.</p> <p>22 Q. And this e-mail, if you look at the</p> <p>23 subject, it says, "Michigan OxyContin coming to</p> <p>24 Ohio," correct?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 419</p> <p>1 So I don't know what's missing and what's not.</p> <p>2 Q. Okay. But if you look at the first</p> <p>3 page, it says -- the first line says, "Over the</p> <p>4 past two years several law enforcement agencies</p> <p>5 in Ohio seized large amounts of OxyContin that</p> <p>6 were diverted or originated in Michigan."</p> <p>7 Did I read that correctly?</p> <p>8 A. Yes.</p> <p>9 Q. And if you flip to the second page,</p> <p>10 the third paragraph starts with, "In July of</p> <p>11 2009 the Lakewood Police narcotics unit seized</p> <p>12 300 OxyContin 800 milligram pills from a subject</p> <p>13 also known to deal marijuana."</p> <p>14 A. Yes, I see that.</p> <p>15 Q. Now, Lakewood Police narcotics unit,</p> <p>16 Lakewood is a city in Cuyahoga County, correct?</p> <p>17 A. Correct.</p> <p>18 MR. ZIPP: I would like to ask the</p> <p>19 court reporter to please mark as Williams</p> <p>20 Exhibit 37 a three-page document -- e-mail</p> <p>21 rather, from Chief Williams, Calvin Williams,</p> <p>22 dated July 16th, 2014, bearing Bates number</p> <p>23 003958369.</p> <p>24 - - - - -</p> <p>25 (Thereupon, Williams Deposition</p>


<p style="text-align: right;">Page 420</p> <p>1 Exhibit 37, E-Mail String Beginning</p> <p>2 Bates Number July 16, 2015 - Marked</p> <p>3 Highly Confidential, was marked for</p> <p>4 purposes of identification.)</p> <p>5 - - - - -</p> <p>6 Q. Chief Williams, do you recognize</p> <p>7 this e-mail, this document?</p> <p>8 A. Yes.</p> <p>9 Q. And that is -- you are the Calvin</p> <p>10 Williams that sent this e-mail, correct, at the</p> <p>11 top?</p> <p>12 A. Yes.</p> <p>13 Q. Sharon Dumas forwarded you this</p> <p>14 e-mail on July 16th, correct?</p> <p>15 A. Yes.</p> <p>16 Q. And who is Sharon Dumas?</p> <p>17 A. Sharon Dumas is the finance director</p> <p>18 for the City of Cleveland.</p> <p>19 Q. And if you go down the page, I know</p> <p>20 I'm going to pronounce her name probably</p> <p>21 incorrectly, but it's Olushola Ojo?</p> <p>22 A. His name, Olushola.</p> <p>23 Q. And what is his position?</p> <p>24 A. He worked in the finance department.</p> <p>25 He's no longer with the city.</p>	<p style="text-align: right;">Page 422</p> <p>1 2014, the variance there was \$232,165, correct?</p> <p>2 A. Yes.</p> <p>3 Q. Can you explain why there was such a</p> <p>4 large increase?</p> <p>5 A. Sitting here today, no, actually I</p> <p>6 couldn't. I'd have to go back through 2014</p> <p>7 records to see exactly what our response was to</p> <p>8 this.</p> <p>9 Q. There is a different response aside</p> <p>10 from the one that you sent up here?</p> <p>11 A. I'm sure there is somewhere that we</p> <p>12 actually explained what that overtime cost was</p> <p>13 for.</p> <p>14 Q. And you can't -- nothing stands out</p> <p>15 in your mind from that pay period?</p> <p>16 A. From back in June of 2014, no.</p> <p>17 Q. This would have been roughly six</p> <p>18 months after taking over as chief, correct?</p> <p>19 A. Correct.</p> <p>20 Q. You would agree, though, that this</p> <p>21 increase is not solely because the Division of</p> <p>22 Police is combating overdose deaths, correct?</p> <p>23 MR. PIFKO: Objection to form.</p> <p>24 A. Again, I'd have to take a look at</p> <p>25 what our response was to tell you exactly.</p>
<p style="text-align: right;">Page 421</p> <p>1 Q. He goes on to state that -- and if</p> <p>2 you look at the bottom, that "Police OT" -- OT</p> <p>3 refers to overtime, correct?</p> <p>4 A. Correct.</p> <p>5 Q. -- "was the worst pay period in the</p> <p>6 last five years," correct?</p> <p>7 A. That's what he says, yes.</p> <p>8 Q. And if you look at the numbers at</p> <p>9 the first row from pay period 13 of 2014 to pay</p> <p>10 period 14 of 2014 -- and a pay period is two</p> <p>11 weeks, correct?</p> <p>12 A. Correct.</p> <p>13 Q. And the numbers below that reflect</p> <p>14 the dollar amount that was paid in overtime?</p> <p>15 A. Correct.</p> <p>16 Q. And then the third column says, "PP</p> <p>17 to PP Variance," so pay period to pay period in</p> <p>18 variance?</p> <p>19 A. Correct.</p> <p>20 Q. And the variance between those two</p> <p>21 pay periods was \$136,826, correct?</p> <p>22 A. Correct.</p> <p>23 Q. And if you look down to the second</p> <p>24 row, the pay period between 2013 -- pay period</p> <p>25 14 of 2013 compared to the pay period 14 of</p>	<p style="text-align: right;">Page 423</p> <p>1 Q. Looking at the first page in the</p> <p>2 middle there, Ms. Dumas --</p> <p>3 A. Dumas.</p> <p>4 Q. -- states that "Police OT: This is</p> <p>5 crazy and undeniably abusive." Would you agree</p> <p>6 with that?</p> <p>7 A. No.</p> <p>8 Q. What do you consider abusive</p> <p>9 overtime?</p> <p>10 A. Unnecessarily generated overtime.</p> <p>11 Q. And you don't think that this was</p> <p>12 unnecessarily generated overtime?</p> <p>13 A. Of course not.</p> <p>14 Q. Then why was your response "No OT</p> <p>15 unless approved at the DC level"? Why didn't</p> <p>16 you --</p> <p>17 A. Because there had to be an immediate</p> <p>18 look at this, so we wanted to hold all that</p> <p>19 stuff until we can take a look and see exactly</p> <p>20 why the variances, why the OT was so high.</p> <p>21 Q. And sitting here today, you don't</p> <p>22 recall why?</p> <p>23 A. No. I mean, we get these reports</p> <p>24 every two weeks, so this is one of -- I don't</p> <p>25 know -- over five years, you know, 50 reports.</p>

<p style="text-align: right;">Page 424</p> <p>1 Q. And so you get these types of</p> <p>2 reports every few weeks where they say that</p> <p>3 police overtime is crazy and undeniably abusive?</p> <p>4 A. We've gotten a lot of them where not</p> <p>5 in those terms but we need to look at our</p> <p>6 overtime, yes.</p> <p>7 Q. And since then have there been</p> <p>8 changes in policy to reduce the amount of</p> <p>9 overtime?</p> <p>10 A. That was it, it's approved at the</p> <p>11 deputy chief level.</p> <p>12 Q. So walk me through that. Does that</p> <p>13 mean that all overtime has to be approved at the</p> <p>14 deputy chief level?</p> <p>15 A. Not all overtime. There is some</p> <p>16 overtime that's -- for example, court time. If</p> <p>17 an officer goes to court, contractually there's</p> <p>18 an amount of overtime that that officer is paid.</p> <p>19 We don't have to monitor that. We review that</p> <p>20 from time to time with our inspections unit to</p> <p>21 make sure it's in line with the contract. There</p> <p>22 is some discretionary overtime that the DCs have</p> <p>23 to approve. Overtime for an officer staying to</p> <p>24 do certain things or coming in for a special</p> <p>25 detail, that has to be approved at the DCs</p>	<p style="text-align: right;">Page 426</p> <p>1 Q. Gary Gingell is not a deputy chief,</p> <p>2 correct?</p> <p>3 A. No.</p> <p>4 Q. So he would not be able to approve</p> <p>5 overtime?</p> <p>6 MR. PIFKO: Objection to form.</p> <p>7 A. He would run that through his deputy</p> <p>8 chief and get it approved prior to.</p> <p>9 Q. And who is the deputy chief?</p> <p>10 A. Currently Harold Pretel.</p> <p>11 Q. Back to that middle e-mail there.</p> <p>12 It says, "Shola is going to calculate the</p> <p>13 deficit position and we are going to need to</p> <p>14 transfer from your trust fund immediately."</p> <p>15 What does that mean?</p> <p>16 A. Where are you reading from?</p> <p>17 Q. That middle line where I just read,</p> <p>18 "Police OT: This is crazy and undeniably</p> <p>19 abusive."</p> <p>20 A. Oh, okay.</p> <p>21 That means they want to take that</p> <p>22 overage out of another line item from the budget</p> <p>23 or another place within the division.</p> <p>24 Q. And what is that place?</p> <p>25 A. Well, the director, I think,</p>
<p style="text-align: right;">Page 425</p> <p>1 level.</p> <p>2 Q. Does this have to be approved prior</p> <p>3 to the officer completing the overtime?</p> <p>4 A. Yes.</p> <p>5 Q. So aside from court, attending</p> <p>6 court, are there any other instances in which</p> <p>7 overtime does not have to be approved prior to?</p> <p>8 A. I'm sure there are a few. I can't</p> <p>9 think of them all right now. I mean, field</p> <p>10 training officer time is contractual. Court</p> <p>11 time is contractual. Our range time is</p> <p>12 contractual. I mean, there -- I'd have to bring</p> <p>13 our timekeeping person or look at the manual to</p> <p>14 tell you what automatically goes in, and then</p> <p>15 the other discretionary overtime has to be</p> <p>16 approved.</p> <p>17 Q. What about for investigations; does</p> <p>18 that have to be approved prior? If a police</p> <p>19 officer wants to conduct further investigation,</p> <p>20 does that overtime have to be approved prior to</p> <p>21 conducting that investigation?</p> <p>22 A. Yes.</p> <p>23 Q. And that has to be approved by the</p> <p>24 deputy chief?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 427</p> <p>1 probably mistakenly, wants to take it from the</p> <p>2 law enforcement trust fund monies.</p> <p>3 Q. Why is that mistakenly?</p> <p>4 A. There are federal guidelines for the</p> <p>5 law enforcement trust fund.</p> <p>6 Q. And would that not permit them to</p> <p>7 take money to pay for overtime?</p> <p>8 MR. PIFKO: Objection to form.</p> <p>9 A. I haven't looked at the guidelines</p> <p>10 lately, but I think that would be something that</p> <p>11 would definitely have to be talked about before</p> <p>12 it's done.</p> <p>13 Q. Who would it have to be talked about</p> <p>14 with?</p> <p>15 A. With the Department of Justice, the</p> <p>16 office that administers the trust fund program.</p> <p>17 Q. What are the funds -- what is the</p> <p>18 money that is in the law enforcement trust fund</p> <p>19 used for?</p> <p>20 A. It's used for training, used for</p> <p>21 equipment, used to buy law enforcement-related</p> <p>22 equipment, send officers to training, things</p> <p>23 like that.</p> <p>24 Q. And do you know one way or another</p> <p>25 if it's ever used to pay for overtime?</p>

<p style="text-align: right;">Page 428</p> <p>1 A. I don't know one way or another.</p> <p>2 Q. In this particular instance --</p> <p>3 strike that.</p> <p>4 Paying overtime for this, it says</p> <p>5 "to calculate the deficit position." Would that</p> <p>6 need to come from the budget that is allocated</p> <p>7 to the Cleveland Police Department?</p> <p>8 A. Yes.</p> <p>9 Q. And then looking back up at what you</p> <p>10 said, "No overtime unless approved at the DC</p> <p>11 level" -- so how did you implement that policy?</p> <p>12 A. There it is.</p> <p>13 Q. Did you tell -- I don't see the</p> <p>14 district -- or the deputy chief included here.</p> <p>15 A. All the deputy chiefs were included.</p> <p>16 Q. Who is the deputy chief that you</p> <p>17 just mentioned at this time?</p> <p>18 A. Howard Pretel. He was not a deputy</p> <p>19 chief in 2014.</p> <p>20 Q. So how does he know about this</p> <p>21 policy now?</p> <p>22 MR. PIFKO: Objection to form.</p> <p>23 A. Because it was passed on to him by</p> <p>24 the prior deputy chief and all the other deputy</p> <p>25 chiefs.</p>	<p style="text-align: right;">Page 430</p> <p>1 MS. WINNER: It's Mr. Pifko talking</p> <p>2 now.</p> <p>3 Q. I want to call your attention back</p> <p>4 to Exhibit 28. Sorry. Wrong one. 29.</p> <p>5 MS. WINNER: Can you just remind me</p> <p>6 what 29 is?</p> <p>7 MR. PIFKO: Yes. It's the -- it's</p> <p>8 got an e-mail on the cover but it's the resource</p> <p>9 study and deployment proposal document.</p> <p>10 MS. WINNER: Thank you.</p> <p>11 Q. Let me know when you're there.</p> <p>12 A. Okay.</p> <p>13 Q. If you want to turn to the page</p> <p>14 that's Bates labeled 4057080. Let me know when</p> <p>15 you're there.</p> <p>16 A. Yes.</p> <p>17 Q. You recall discussing these</p> <p>18 self-assessment percentages?</p> <p>19 A. Yes, I do.</p> <p>20 Q. Do you understand what the questions</p> <p>21 were designed to be getting at with the</p> <p>22 self-assessment questionnaire?</p> <p>23 A. The purpose for the self-assessment</p> <p>24 was to get from the individual units and</p> <p>25 operations whether or not they thought they</p>
<p style="text-align: right;">Page 429</p> <p>1 Q. And this policy is still implemented</p> <p>2 to this day?</p> <p>3 A. Yes.</p> <p>4 Q. Do the numbers down here reflect any</p> <p>5 overtime that the department will be reimbursed</p> <p>6 for through grants or some other means?</p> <p>7 A. I'm sure it does, yes.</p> <p>8 Q. Do you know how much of that?</p> <p>9 A. No. Again, we'd have to go back and</p> <p>10 look at the actual records. I mean, this is a</p> <p>11 general fund thing. Everything goes through the</p> <p>12 general fund.</p> <p>13 MR. ZIPP: Why don't we take a quick</p> <p>14 break.</p> <p>15 THE VIDEOGRAPHER: Off the record,</p> <p>16 1:10.</p> <p>17 (Recess had.)</p> <p>18 THE VIDEOGRAPHER: On the record,</p> <p>19 1:15.</p> <p>20 MR. ZIPP: Chief Williams, thank</p> <p>21 you. I have no further questions for today.</p> <p>22 EXAMINATION OF CALVIN D. WILLIAMS</p> <p>23 BY MR. PIFKO:</p> <p>24 Q. Chief, I have a few questions for</p> <p>25 you.</p>	<p style="text-align: right;">Page 431</p> <p>1 could fulfill their core functions for the</p> <p>2 Division of Police.</p> <p>3 Q. When you say "whether or not they</p> <p>4 could fulfill their core functions," what do you</p> <p>5 mean by that?</p> <p>6 A. Well, within an organization like</p> <p>7 ours, an organization that, you know, has almost</p> <p>8 2,000 employees, there's a lot of sometimes</p> <p>9 overlap in duties and responsibilities from</p> <p>10 operation to operation, from unit to unit. One</p> <p>11 thing we tried to do in this study is to</p> <p>12 identify all that. And if you look at the</p> <p>13 study, it's kind of referred to as mission</p> <p>14 creep. We tried to identify that, have them not</p> <p>15 concentrate on that but concentrate on their</p> <p>16 specific function and mission of the division,</p> <p>17 and then give us feedback on that, because that</p> <p>18 mission creep part of the function that some of</p> <p>19 these units are tasked with doing, we wanted to</p> <p>20 carve that out and then have specific personnel,</p> <p>21 funding, resource allocation for that so people</p> <p>22 aren't doing double and triple duty.</p> <p>23 Q. Can you give me an example of a task</p> <p>24 that you would deem to be mission creep in the</p> <p>25 context of what you were just saying?</p>

<p style="text-align: right;">Page 432</p> <p>1 A. Well, I can give you a couple.</p> <p>2 One is some of the technology</p> <p>3 functions within the division. Historically, we</p> <p>4 basically take in police officers, certified</p> <p>5 police officers, and assign them to do technical</p> <p>6 projects, IT projects within the division, not</p> <p>7 so much based on, you know, any divisional</p> <p>8 training or expertise but on their own personal</p> <p>9 expertise, be it in technology as far as</p> <p>10 hardware or software. Those officers would be</p> <p>11 taken from another operation and basically</p> <p>12 assigned to assist on these technical projects,</p> <p>13 in a sense either doing double duty or still</p> <p>14 being counted in that other operation but not</p> <p>15 available to them because we now have them doing</p> <p>16 this technical project.</p> <p>17 So we separated that out and we now</p> <p>18 have a technology integration unit that</p> <p>19 specifically trains, vets and hires folks just</p> <p>20 to do the technology piece. So I'm not a patrol</p> <p>21 officer assigned to district 4 on afternoon</p> <p>22 shift, but because I'm an IT geek, they took me</p> <p>23 away and put me downtown to do this IT project.</p> <p>24 I'm now assigned to that technology integration</p> <p>25 unit, and that unit has a staffing and budget</p>	<p style="text-align: right;">Page 434</p> <p>1 example of narcotics, for this response to mean</p> <p>2 that anyone in the narcotics division felt that</p> <p>3 they had adequate staffing to combat all</p> <p>4 drug-related crime in the community?</p> <p>5 MS. WINNER: Object to the form of</p> <p>6 the question. Leading.</p> <p>7 A. Well, you know, I'm looking right</p> <p>8 now -- and, again, this report was a few years</p> <p>9 ago -- at a lot of these places, a lot of the</p> <p>10 units within the division that say a hundred</p> <p>11 percent satisfaction with what they can do with</p> <p>12 the resources they have, and I can tell you it's</p> <p>13 not that way. We have a lot of hard working,</p> <p>14 conscientious officers and supervisors that kind</p> <p>15 of bust their behinds day in and day out to get</p> <p>16 the job done regardless of the resources. And I</p> <p>17 think a lot of this is, you know, pride from</p> <p>18 folks, yeah, we can get it done with what we</p> <p>19 got, although everybody within the division, no</p> <p>20 matter what unit they're in, is always asking</p> <p>21 for additional resources.</p> <p>22 Q. Has Commander Gingell made a request</p> <p>23 to you or anyone else within the management of</p> <p>24 the Division of Police for additional resources</p> <p>25 to combat narcotics crime?</p>
<p style="text-align: right;">Page 433</p> <p>1 and everything else.</p> <p>2 And the same thing -- you know, the</p> <p>3 specific unit that we talked about was</p> <p>4 narcotics. Our HIDI guys only do HIDI-related</p> <p>5 things. They don't go out and do other</p> <p>6 narcotics investigations. They don't</p> <p>7 participate in the other things that -- excuse</p> <p>8 me, that narcotics does on a day-to-day basis.</p> <p>9 They only do HIDI.</p> <p>10 So when Commander Gingell and folks</p> <p>11 were answering this question about whether or</p> <p>12 not they could fulfill their mission, their</p> <p>13 mission is, you know, drug investigation across</p> <p>14 the city, and what they basically did before</p> <p>15 they had HIDI guys and all this other stuff that</p> <p>16 kind of creeps into the narcotics mission.</p> <p>17 Q. And that was separated out -- the</p> <p>18 HIDI tasks were separated out from the</p> <p>19 traditional narcotics tasks?</p> <p>20 A. Yes. I mean, if you look at our</p> <p>21 final staffing plan for the division, although</p> <p>22 it's still under kind of that special ops</p> <p>23 narcotics umbrella, there's a separate</p> <p>24 designation for HIDI detectives.</p> <p>25 Q. Did you understand, like in the</p>	<p style="text-align: right;">Page 435</p> <p>1 A. Three weeks ago, yes. All the time.</p> <p>2 There's a running joke in command staff that</p> <p>3 Commander Gingell, when it's his turn to talk in</p> <p>4 command staff, is going to ask for additional</p> <p>5 resources.</p> <p>6 Q. Based on your understanding of the</p> <p>7 narcotics crime in the community, do you believe</p> <p>8 that there are additional resources necessary to</p> <p>9 combat narcotics crime in the community?</p> <p>10 MS. WINNER: Object to the form of</p> <p>11 the question.</p> <p>12 A. Definitely. Definitely.</p> <p>13 Definitely. We see it every day. We see it</p> <p>14 every day, day in and day out.</p> <p>15 MR. PIFKO: I don't have any further</p> <p>16 questions.</p> <p>17 FURTHER EXAMINATION OF CALVIN D. WILLIAMS</p> <p>18 BY MS. WINNER:</p> <p>19 Q. Okay. Just a couple of follow-up</p> <p>20 questions.</p> <p>21 Did you -- have you ever discussed</p> <p>22 with Commander Gingell his responses to the</p> <p>23 survey that's reflected in Exhibit 29?</p> <p>24 A. No. I didn't have to because,</p> <p>25 again, whenever Gary and I sit down and talk</p>

<p style="text-align: right;">Page 436</p> <p>1 about things within his area of operation, 2 there's always the ask for additional personnel. 3 Q. And he's been asking for additional 4 personnel for as long as you can remember, 5 correct? 6 A. Yeah. I mean, you can go back 7 through the e-mail chains and the memos and -- 8 yes. 9 Q. And for years he was asking for 10 additional resources and was not getting them, 11 correct? 12 A. He carved out and got the resources 13 available through the division, yes, he did. 14 Q. When was he given additional 15 resources? When was he first given additional 16 resources after -- 17 A. He has the resources for the entire 18 division at his disposal. All of our vice unit 19 detectives and supervisors were investigating 20 overdose deaths. All of our patrol officers 21 were administering Narcan. 22 Q. But he was asking for additional 23 resources in the narcotics unit, was he not? 24 A. Yes. 25 Q. And for years he was not getting</p>	<p style="text-align: right;">Page 438</p> <p>1 lot of it on overtime just for those members. 2 Q. Do you -- going back to my original 3 question, did you ever talk to Commander Gingell 4 specifically about his response to the 5 self-assessment questionnaire? 6 A. No. 7 MS. WINNER: No further questions. 8 THE VIDEOGRAPHER: Off the record, 9 1:24. 10 11 (Deposition concluded at 1:24 p.m.) 12 - - - - - 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 437</p> <p>1 that, correct? 2 A. He was asking for resources just 3 like, again, every other unit within the 4 division. 5 Q. And he was asking for resources, 6 additional resources, in the narcotics unit, 7 additional staffing in the narcotics unit, and 8 he was not given it, correct? 9 A. He was given support from the entire 10 division. 11 Q. And that's all he was given, 12 correct? 13 A. No. He carved out five or six guys 14 just to do death investigations. I don't think 15 you see that across the country. 16 Q. But he carved those out of his 17 existing narcotic staff and he was not given 18 additional staffing in the narcotics unit for 19 that purpose? 20 A. Yes. He carved those guys out, and 21 the conversation we had earlier about overtime, 22 that's -- I wouldn't say the majority, but 23 that's a big part of what HIDI does, they 24 respond day in and day out, nights, days, 25 mornings, weekends -- it doesn't matter -- and a</p>	<p style="text-align: right;">Page 439</p> <p>1 Whereupon, counsel was requested to give 2 instruction regarding the witness' review of 3 the transcript pursuant to the Civil Rules. 4 5 SIGNATURE: 6 Transcript review was requested pursuant to 7 the applicable Rules of Civil Procedure. 8 9 TRANSCRIPT DELIVERY: 10 Counsel was requested to give instruction 11 regarding delivery date of transcript. 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

<p style="text-align: right;">Page 440</p> <p>1 REPORTER'S CERTIFICATE</p> <p>2 The State of Ohio,)</p> <p>3) SS:</p> <p>4 County of Cuyahoga.)</p> <p>5</p> <p>6 I, Renee L. Pellegrino, a Notary</p> <p>7 Public within and for the State of Ohio, duly</p> <p>8 commissioned and qualified, do hereby certify</p> <p>9 that the within named witness, CALVIN D.</p> <p>10 WILLIAMS, was by me first duly sworn to testify</p> <p>11 the truth, the whole truth and nothing but the</p> <p>12 truth in the cause aforesaid; that the testimony</p> <p>13 then given by the above referenced witness was</p> <p>14 by me reduced to stenotypy in the presence of</p> <p>15 said witness; afterwards transcribed, and that</p> <p>16 the foregoing is a true and correct</p> <p>17 transcription of the testimony so given by the</p> <p>18 above referenced witness.</p> <p>19 I do further certify that this</p> <p>20 deposition was taken at the time and place in</p> <p>21 the foregoing caption specified and was</p> <p>22 completed without adjournment.</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 442</p> <p>1 Veritext Legal Solutions</p> <p>2 1100 Superior Ave</p> <p>3 Suite 1820</p> <p>4 Cleveland, Ohio 44114</p> <p>5 Phone: 216-523-1313</p> <p>6 April 3, 2019</p> <p>7 To: Mark Pifko, Esq.</p> <p>8 Case Name: In Re: National Prescription Opiate Litigation v.</p> <p>9 Veritext Reference Number: 3272030</p> <p>10 Witness: Calvin D. Williams Deposition Date: 3/29/2019</p> <p>11 Dear Sir/Madam:</p> <p>12 Enclosed please find a deposition transcript. Please have the witness</p> <p>13 review the transcript and note any changes or corrections on the</p> <p>14 included errata sheet, indicating the page, line number, change, and</p> <p>15 the reason for the change. Have the witness' signature notarized and</p> <p>16 forward the completed page(s) back to us at the Production address</p> <p>17 shown</p> <p>18 above, or email to production-midwest@veritext.com.</p> <p>19 If the errata is not returned within thirty days of your receipt of</p> <p>20 this letter, the reading and signing will be deemed waived.</p> <p>21 Sincerely,</p> <p>22 Production Department</p> <p>23</p> <p>24</p> <p>25 NO NOTARY REQUIRED IN CA</p>
<p style="text-align: right;">Page 441</p> <p>1 I do further certify that I am not a</p> <p>2 relative, counsel or attorney for either party,</p> <p>3 or otherwise interested in the event of this</p> <p>4 action.</p> <p>5 IN WITNESS WHEREOF, I have hereunto</p> <p>6 set my hand and affixed my seal of office at</p> <p>7 Cleveland, Ohio, on this 3rd day of April,</p> <p>8 2019.</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13 </p> <p>14 Renee L. Pellegrino, Notary Public</p> <p>15 within and for the State of Ohio</p> <p>16</p> <p>17 My commission expires October 12, 2020.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 443</p> <p>1 DEPOSITION REVIEW</p> <p>2 CERTIFICATION OF WITNESS</p> <p>3 ASSIGNMENT REFERENCE NO: 3272030</p> <p>4 CASE NAME: In Re: National Prescription Opiate Litigation</p> <p>5 DATE OF DEPOSITION: 3/29/2019</p> <p>6 WITNESS' NAME: Calvin D. Williams</p> <p>7 In accordance with the Rules of Civil</p> <p>8 Procedure, I have read the entire transcript of</p> <p>9 my testimony or it has been read to me.</p> <p>10 I have made no changes to the testimony</p> <p>11 as transcribed by the court reporter.</p> <p>12</p> <p>13 Date Calvin D. Williams</p> <p>14 Sworn to and subscribed before me, a</p> <p>15 Notary Public in and for the State and County,</p> <p>16 the referenced witness did personally appear</p> <p>17 and acknowledge that:</p> <p>18 They have read the transcript;</p> <p>19 They signed the foregoing Sworn</p> <p>20 Statement; and</p> <p>21 Their execution of this Statement is of</p> <p>22 their free act and deed.</p> <p>23 I have affixed my name and official seal</p> <p>24 this ____ day of _____, 20____.</p> <p>25</p> <p>Notary Public</p> <p>Commission Expiration Date</p>

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1 DEPOSITION REVIEW
CERTIFICATION OF WITNESS

2

3 ASSIGNMENT REFERENCE NO: 3272030
CASE NAME: In Re: National Prescription Opiate Litigation
DATE OF DEPOSITION: 3/29/2019

4 WITNESS' NAME: Calvin D. Williams

5 In accordance with the Rules of Civil
Procedure, I have read the entire transcript of
6 my testimony or it has been read to me.

7 I have listed my changes on the attached
Errata Sheet, listing page and line numbers as
8 well as the reason(s) for the change(s).

9 I request that these changes be entered
as part of the record of my testimony.

10

11 I have executed the Errata Sheet, as well
as this Certificate, and request and authorize
that both be appended to the transcript of my
12 testimony and be incorporated therein.

13 _____
Date Calvin D. Williams

14

15 Sworn to and subscribed before me, a
Notary Public in and for the State and County,
the referenced witness did personally appear
16 and acknowledge that:

17 They have read the transcript;
They have listed all of their corrections
18 in the appended Errata Sheet;
They signed the foregoing Sworn
19 Statement; and
Their execution of this Statement is of
20 their free act and deed.

21 I have affixed my name and official seal
22 this _____ day of _____, 20____.

23 _____
Notary Public

24

25 _____
Commission Expiration Date

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1 ERRATA SHEET
VERITEXT LEGAL SOLUTIONS MIDWEST

2 ASSIGNMENT NO: 3/29/2019

3 PAGE/LINE(S) / CHANGE /REASON

4 _____

5 _____

6 _____

7 _____

8 _____

9 _____

10 _____

11 _____

12 _____

13 _____

14 _____

15 _____

16 _____

17 _____

18 _____

19 _____

20 _____
Date Calvin D. Williams

21 SUBSCRIBED AND SWORN TO BEFORE ME THIS _____

22 DAY OF _____, 20____.

23 _____
Notary Public

24

25 _____
Commission Expiration Date

28 (Pages 444 - 445)

[& - 33]

Page 1

<p>&</p> <p>& 339:22 340:2,6 340:19 341:2,6,19 346:8,12,17,19 347:1,4 396:20</p>	<p>122 354:2,3 12:20 396:11 12:33 396:14 13 386:9 421:9 136,826 421:21 14 343:9 376:24 377:5 421:10,25 421:25 15524 386:20 15910 340:3 16 343:16,18 344:7 371:5 388:9 392:3 397:19 420:2 1600 340:4 1660 339:23 16th 391:21 419:22 420:14 17 339:7,11 397:13 397:16,19,19 401:13 402:1 417:21 18 339:13,15 360:12,15,16 361:7 397:19 409:2,7 417:21 1800 341:16 1820 442:2 1:10 429:16 1:15 429:19 1:24 438:9,11</p>	<p>20036-5807 341:17 2005 372:1,15 2006 406:4 2007 371:19,21 2008 371:21 2009 419:11 2010 344:4 415:12 415:17 418:13,16 2011 406:4 2012 404:22 2013 421:24,25 2014 419:22 421:9 421:10 422:1,6,16 428:19 2015 344:7 378:19 420:2 2016 343:9,16,18 376:24 377:5 383:16 388:9 391:21 392:3 2017 371:20 373:18 388:3 397:17 401:12,15 401:25 402:4,13 2018 343:6 349:16 349:22 378:20 397:14,17 401:11 401:17,25 402:1,4 402:11 409:18 2019 339:19 343:24 346:3 407:11 441:8 442:4 202 340:21 341:8 341:17 2020 359:16 441:17 21 378:10,14,23 379:3 380:10</p>	<p>216 340:8,12,16 341:21 216-523-1313 442:3 22 343:6 349:22 2227 441:13 22nd 349:16 232,165 422:1 25 372:24 25th 388:3 28 343:5 349:12,20 371:6 402:5,8 430:4 2804 339:6,7 29 339:19 343:8 344:4 376:20 377:3 378:13 379:5 380:9 415:17 430:4,6 435:23 29th 346:2 415:12 2nd 339:23 341:12</p>
<p>0</p> <p>002369389 343:20 396:25 397:5 002605707 343:25 407:6,13 002715127 343:18 392:4 002715524 343:13 387:1 003285751 344:5 415:12,19 003394701 343:22 403:8,14 003958369 419:23 003981505 343:7 349:17,24 004057069 343:10 376:25 377:7 06 372:1,15 07 372:1,15 071 378:4 076 379:9 080 381:1 386:8</p>	<p>1</p> <p>1 398:16 10 370:4 100 383:3,11 1000 341:16,20 101 341:12 106 340:11 1100 339:23 442:1 11:14 339:20 346:2 12 441:17</p>	<p>2</p> <p>2 339:17 2,000 431:8 20 380:9 395:3 443:16 444:22 445:22 2000 371:25 20001-3743 340:20 20001-4956 341:8</p>	<p>3</p> <p>3 442:4 3/29/2019 442:8 443:3 444:3 445:2 30 343:12 375:1 386:17,23 393:3 401:25 300 419:12 31 343:15 387:23 388:7 31st 409:18 413:19 32 343:17 391:19 392:1 3272030 442:7 443:2 444:2 33 343:19 396:24 397:3 402:11 403:25</p>

[34 - addition]

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF SEPTEMBER 1, 2016. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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